

**City of College Station**  
**Development Services**

**SUBDIVISION**  
**REGULATIONS**

**Chapter 9**  
**Subdivision**

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# CHAPTER 9

## SUBDIVISIONS

### SECTION 1: AUTHORITY

This chapter is adopted under authority of the constitution and laws of the State of Texas, including particularly Chapter 231, Acts of the 40th Legislature, Regular Session, as heretofore or hereafter amended, compiled as Article 974a, V.A.C.S., the provisions of Section 4 of the Municipal Annexation Act as heretofore or hereafter amended, compiled as Article 970a, V.A.C.S., and pursuant to the provisions of the charter of the City of College Station, Texas.

### SECTION 1A: FUNCTION OF PLANNING AND ZONING COMMISSION

In accordance with the authority granted by applicable statutes, ordinances, and regulations, the commission shall approve or disapprove plats, subdivisions, and replats of land within the corporate limits and extraterritorial jurisdiction of the City. If a plat conforms to this article, state law, and all other rules and regulations pertaining to the platting of land, the commission shall endorse its approval upon the plat.

**(Ordinance No. 2179 of May 9, 1996)**

If the subject property has been rezoned to PDD Planned Development District, the City Council may approve general modifications to the subdivision standards. The general modifications shall be indicated in the ordinance that rezones the property. The City Planning Staff shall determine the specific standards that comply with the general modifications of the subdivision standards at the time a site plan is approved. The applicant or the City Planning Staff may have the Planning and Zoning Commission determine the specific standards that comply with the general modifications approved by the City Council.

**(Ordinance No. 2508 of August 9, 2001)**

### SECTION 1B: FUNCTION OF THE CITY COUNCIL

The City Council shall be the authority for approving or disapproving requests for oversize participation and development agreements requesting deferral of specific requirements of this Chapter."

**(Ordinance No. 2386 of April 22, 1999)**

### SECTION 2: SCOPE AND PURPOSE

2-A This chapter shall govern all subdivisions (see definition of subdivision) of land within the corporate limits of the City of College Station, Texas, and within the extraterritorial jurisdiction of the City as established by the Municipal Annexation Act. Such area is extended to two (2) miles from the corporate limits surrounding the City of College Station, not a part of any other city, and if by law such distance is changed, this chapter shall apply to and be in conformity with the distances so approved by law or any amendments thereto.

2-B The subdivision of land is a major factor in the process of sound community growth and ultimately becomes a public responsibility in that the streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. Therefore, it is to the interest of the public, to the developer, and to the future owners, that the subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards. It is in the intent of these regulations to encourage the growth of the City of College Station in an orderly manner.

2-C The provisions set forth in this chapter are intended to provide for harmonious development of the area, and are deemed to be the minimum requirements adopted by the City Council for the protection of the public health, safety, and welfare.

2-D This chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this chapter, except for purposes of replatting or further subdivision thereof.

(Ordinance No. 690 of July 15, 1970)

## SECTION 3: DEFINITIONS

For the purpose of this chapter, certain words as used herein are defined as follows:

Easement: See Drainage Easement and Utility Easement.

Engineer means a person duly authorized and licensed under the provisions of the Texas Engineering Registration Act, to practice the profession of engineering.

Extraterritorial Jurisdiction, within the terms of the Texas Municipal Annexation Act, means the unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the City of College Station, the outer boundaries of which are measured from the extremities of the corporate limits of the city, outward for such distances as may be stipulated in the Texas Municipal Annexation Act, in which area, within the terms of the act, the City may enjoin the violation of its subdivision control chapter.

Feeder Line shall mean any line, wire, or cable and appurtenances which distributes, transmits, or delivers a utility service from a source to a general area or to multiple developments, and not to a specific end user.

Lateral Line shall mean any line, wire, or cable and appurtenances used to distribute, transmit, or deliver service from a feeder line to two (2) or more sites or end users of the utility service within a specific development.

Lot is physically an undivided tract or parcel of land as shown on a duly recorded plat.

Major Street includes state highways, major and minor arterial and major collector streets.

Master Development Plan refers to a conceptual, informal map of all contiguous property under common ownership showing potential future subdivision or development. It is of sufficient accuracy to be used for purposes of discussion and classification. It shall include information as described in Section 6-B.1.

Master Preliminary Plat refers to a map of a proposed subdivision or development with the same level of detail as required for a preliminary plat under Section 6C. A Master Preliminary Plat is essentially several preliminary plats together on one document such that portions may be subsequently submitted for approval as final plats as per Section 6-B.2.1.

Minor Plat as defined by Section 212.0065 of the Texas Local Government Code. A subdivision involving four or fewer lots fronting on an existing street and that does not require the creation of any new street or the extension of municipal facilities.

Mobile Home Park means a parcel of land, under single ownership, which has been planned and improved for placement of mobile homes for nontransient use. See Chapter 3, Section 4 of this Code of Ordinances.

May is permissive.

Pavement Width means the portion of the surface of the street available for vehicular traffic; where curbs are used, it is the portion between the back of curbs.

Planned Unit Development, PUD, means a parcel of land completely planned as a unit development, requiring special handling and approval. See Section 11.

Planning and Zoning Commission means the duly appointed Planning and Zoning Commission of the City of College Station, Texas.

Plat means a map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, easements, etc., usually drawn to scale; also includes a replat and an amended plat."

Preliminary Plat refers to a map indicating the proposed layout of a subdivision meeting the requirements of Section 6.C.

Principal Street is a street so designated and indicated in the street regulation section of this Code of Ordinances, Chapter 3, Section 5.

Service Line shall mean any line, wire, or cable and appurtenances used to distribute, transmit, or deliver a utility service from a source of supply, feeder line, or lateral line directly to an end user.

Shall is always mandatory.

Street is a way for vehicular traffic, whether designated as a highway, arterial street, collector street, or residential street.

Subdivider means any person or persons, firm, or corporation subdividing a tract or parcel of land to be sold or otherwise handled for his own personal gain or use.

Subdivision means the division of a lot, tract, or parcel of land into two (2) or more parts, lots, or sites, for the purpose, whether immediate or future, of sale, division of ownership or building development. This also includes the resubdivision of land or lots which are a part of a previously recorded subdivision. Divisions of land for agricultural purposes, where no building construction is involved, in parcels of five (5) acres or more, shall not be included within this definition, unless such subdivision of five (5) acres or more includes the planning or development of a new street or access easement. An addition is a subdivision as is defined herein.

Surveyor means a licensed state land surveyor or a registered public surveyor, as authorized by the Texas Land Surveyors Registration Act.

Utility Easement means an interest in land granted to the City, to the public generally, and/or to a private utility company, for installation or maintenance of utilities across, over, or under private land, together with the right to enter thereon with machines and vehicles as necessary for maintenance of such utilities.

Zoning Ordinance refers to the duly enacted zoning ordinance of the City of College Station, Texas, adopted by reference in Chapter 12, Section 2 of this Code of Ordinances.

Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices."

**(Ordinance No. 2269 of October 9, 1997)**

## SECTION 4: SPECIAL PROVISIONS

### 4-A Plat Required

The subdivider of a tract of land located within the limits or in the extraterritorial jurisdiction of the City shall prepare and submit for approval a plat of the subdivision in accordance with Section 6 of this Chapter.

### 4-B Unapproved Final Plat

No building, repair, plumbing, or electrical permit shall be issued by the City for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record.

### 4-C Noncompliance With Standards

No building repair, plumbing or electrical permit shall be issued for any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.

### 4-D No City Maintenance

The City shall not repair, maintain, install or provide any streets or public utilities or services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.

### 4-E No Utility Service

The City shall not sell or supply water, gas, electricity, or sewerage within a subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein have not been complied with in full.

### 4-F Enforcement

On behalf of the City, the City Attorney shall, when directed by the City Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs within the City, within the extraterritorial jurisdiction of the City, as such jurisdiction is determined under the Municipal Annexation Act, or within any area subject to all or part of the provisions of this ordinance.

### 4-G Record of Noncompliance

If any subdivision exists for which a final plat has not been approved or in which the standards contained herein or referred to herein have not been complied with in full, the City Council shall pass a resolution reciting the fact of such noncompliance or failure to secure final plat approval, and reciting the fact that the provisions of paragraphs 4B, 4-C, 4-D, and 4-E of this section shall apply to the subdivision and lots therein.

- (1) The City secretary shall, when directed by the City Council, cause a certified copy of such resolution under the corporate seal of the City to be filed in the Deed Records of the County.
- (2) If such compliance and final plat approval are secured after the filing of such resolution, the City Secretary shall forthwith file an instrument in the Deed Records of the County stating that Paragraphs 4-B, 4-C, 4-D, and 4-E no longer apply.

### 4-H Grandfathered

Provided, however, that the provisions of this section shall not be construed to prohibit the issuance of permits for any lot or undivided tract or parcel of land upon which a residence exists and was in existence prior to the passage of this subdivision ordinance, nor to prohibit the repair, maintenance, or installation of any street or public utility service for, to, or abutting any lot, the last record conveyance of which prior to passage of this ordinance was by metes and bounds, and/or

any subdivision, or lot therein, recorded or unrecorded, which subdivision was in existence prior to the passage of this ordinance."

**(Ordinance No. 2027 of August 26, 1993)**

## **SECTION 5: VARIANCES**

**5-A** The Commission may authorize a variance from the regulation when, in their opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Commission shall prescribe only conditions that it deems not prejudicial to the public interest. In making the findings hereinbefore required, the Commission shall take into account the nature of the proposed use of the land involved, the existing use of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, the possibility that a nuisance will be created, and the probable effect of such variance upon traffic conditions and upon public health, convenience, and welfare of the vicinity. No variance shall be granted unless the Commission finds:

**5-A.1** That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter will deprive the applicant of the reasonable use of his land;

**5-A.2** That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

**5-A.3** That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this chapter; and

**5-A.4** That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

**5-B** Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the meetings at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that public health, safety, and welfare may be secured and substantial justice done.

**(Ordinance No. 2179 of May 9, 1996)**

**5-C** Appeals

**(Note: This section was deleted in its entirety by Ordinance No. 2386 of April 22, 1999)**

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## SECTION 6: PROCEDURE AND PLAT REQUIREMENTS

### 6-A General

6-A.1 The procedure for review and approval of a subdivision plat generally consists of seven (7) steps. The subdivider may first request a pre-application meeting. The second step is the preparation and submission of a preliminary plat of the proposed subdivision with the appropriate application form and impact studies, if applicable.. The third step is the consideration of the preliminary plat by the Development Services staff. The fourth step is the consideration of the preliminary plat by the Planning & Zoning Commission. The fifth step is the application submittal for the final plat with the appropriate application form and construction documents. The sixth step is the consideration by the Commission of a final plat together with the required certificates and data. If favorable action had been taken by the Commission, the final plat becomes the instrument to be recorded in the Office of the County Clerk when all requirements have been met. The construction documents when duly signed by the City Engineer are authority to proceed with the construction of streets and utilities. Nothing in the procedure authorizes construction on private property.

(Ordinance No. 2404 of August 12, 1999)

### 6-A.2 Pre-Application Meeting

Prior to any application submittal, the subdivider shall have familiarized himself with the subdivision regulations and the Zoning Ordinance, and may request a pre-application meeting. A date and time for the meeting will be during business hours at the City Hall, and held within ten (10) calendar days of the date of the request. The subdivider shall bring to this meeting a City map with the proposed subdivision marked thereon, and information relative to the proposed development. He shall be prepared to discuss its conformity with the Comprehensive Plan of the City.

(Ordinance No. 2179 of May 9, 1996)

### 6-B Master Development Plan

6-B.1 A master development plan is required for developments where there are planning issues including but not limited to street locations and sizes, public facility locations, lot layout, park and greenbelt locations, etc. - to be addressed and where there will be subsequent preliminary and or final plats occurring over a long period of time.

All Master Development Plans must be reviewed and approved by the Planning & Zoning Commission. Once a Master Development Plan is approved, the applicant may submit a Master Preliminary Plat covering the entire area included on the Master Development Plan.

Developments that will be developed in one phase will not require submission of a Master Development Plan. The applicant shall submit a Preliminary Plat.

Any master development plan shall depict the following:

- (a) proposed land uses, including but not limited to street rights-of-way;
- (b) proposed zoning changes;
- (c) proposed drainage development;
- (d) proposed public improvements, including but not limited to parks, schools, and other public facilities.

### 6-B.2 Subsequent Preliminary Plats

6-B.2.1 When a master development plan is approved, the subdivider may submit a master preliminary plat covering the entire area shown on the master development plan, and indicate thereon his proposed plan of development by increments. This master preliminary plat must be reviewed and approved by the Commission. If a master preliminary plat is not submitted, then each individual preliminary plat of an area must be reviewed and approved by the Commission.



Each subsequent final plat from an approved master preliminary plat or preliminary plat must be reviewed and approved by the Commission..

After approval of this master preliminary plat, the subdivider may submit fractional final plats in accordance with the master preliminary plat by units or areas. Each increment or area must be adjacent to a preceding development or area. A master preliminary plat shall be effective for a period of one (1) year, and may be extended for an additional period of twelve (12) months, upon written request and approval of the Commission. The approval of each increment as a final plat will extend the approval of the master preliminary plat for twelve (12) months.

**(Ordinance No. 2386 of April 22, 1999)**

**6 B.3 Processing Master Development Plans and Master Preliminary Plats**

**6-B.3.1** When the master development plan or master preliminary plat is received with subdivider's application for approval and the fee, all copies received shall be dated, stamped, and signed, and one (1) copy returned to the subdivider and immediately distributed to other City departments concerned for their review.

**6-B.3.2** A copy of the master development plan or master preliminary plat will be forwarded to the Commission with staff comments.

**(Ordinance No. 2404 of August 12, 1999)**

**6-B.3.3** The applicant will be advised of the date set for Commission consideration.

**(Ordinance No. 2179 of May 9, 1996)**

**6-B.3.4** Within thirty (30) days after the master development plan or master preliminary plat is formally filed with the City, the Commission shall approve or disapprove the plan/plat.

**6-B.3.5** Following formal action by the Commission, the City will transmit to the subdivider one (1) copy of the plat marked "APPROVED".

**(Ordinance No. 2386 of April 22, 1999)**

**6-B.3.6** Approval or conditional approval of a master development plan or master preliminary plat shall be effective for one (1) year from the date of such notice, unless reviewed by the Commission in light of new or significant information which would necessitate a revision, in which case the Commission shall so inform the subdivider in writing.

**6-B.3.7** If a final plat is not submitted within one (1) year of the effective date of approval, the Commission may, upon written application of the subdivider, extend the approval for an additional six (6) months.

**6-C Preliminary Plat:**

**6-C.1** The application date shall be at least twenty (20) calendar days prior to the meeting of the Commission, at which time the preliminary plat is to be considered. The subdivider shall submit paper copies of the Preliminary Plat, and a mylar copy of the proposed subdivision, drawn to a scale of not less than one hundred feet (100') per inch. The words "PRELIMINARY PLAT - NOT FOR RECORD" shall appear on the plat in letters 1/2" high. The date the plat was submitted and the dates of any revisions shall legibly appear on the plat. The subdivider shall submit with the Preliminary Plat an application for approval on forms available in the Planning Department.

**(Ordinance No. 2179 of May 9, 1996)**

- 6.C.2 An applicant may request oversize participation on any infrastructure, as provided in Section 9 of these regulations. In order to do so, impact studies covering the particular infrastructure must be submitted justifying the request for oversize. These studies shall indicate what size infrastructure is necessary to serve the proposed development as shown on an approved master development plan or master preliminary plat. If the city's comprehensive plan calls for infrastructure in excess of that required for the proposed development, the applicant may request participation for this additional size. The City Council will consider and approve or disapprove oversize participation requests.

(Ordinance No. 2386 of April 22, 1998)

- 6-C.3 An application fee shall be established by Council resolution from time-to-time. Application fees are not refundable but shall not be required on subsequent submittals of revised plats.
- 6-C.4 The plat shall be drawn on sheets 24" x 36". When more than one sheet is necessary to accommodate the entire area, an index sheet at appropriate scale showing the entire area, shall be attached. The plat shall be drawn on mylar film positive accompanied by ten (10) paper copies.
- 6-C.5 The plat shall conform to the general requirements and minimum standards of Design and Improvements as set forth in Articles III and IV, and shall show specifically:
- 6-C.5.1 The name and address of the subdivider, record owner, planner, engineer, and surveyor.
- 6-C.5.2 The proposed name of the subdivision, which shall not have the spelling as or be pronounced similar to the name of any other subdivision located within Brazos County, Texas.
- 6-C.5.3 The name of contiguous subdivisions and names of owners of contiguous parcels of unsubdivided land, and an indication whether or not contiguous properties are platted.
- 6-C.5.4 Descriptions by metes and bounds of the subdivision which shall close within accepted land survey standards.
- 6-C.5.5 Primary control points or descriptions and ties to such control point, to which, later, all dimensions, angles, bearings, block numbers, and similar data shall be referred. The plat shall be located with respect to a corner of the survey or tract, or an original corner of the original survey of which it is a part.
- 6-C.5.6 Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision.
- 6-C.5.7 Existing features as follows:
- (a) The location, dimension, name and description of all recorded streets, alleys, reservations, easements, or other public or private rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries. In the case of pipelines carrying flammable gas or fuel, the approximate location, size of line, design pressure and product transported through the line shall be shown.
  - (b) The location, dimension, description and name of all existing or recorded lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision.

- (c) The location, dimensions, description, and flow line of existing watercourses and drainage structures within the subdivision or contiguous thereto.
- (d) The location of the one hundred (100) year flood according to the most recent best available data.

- 6-C.5.8 Date of preparation, scale in feet, and north arrow.
- 6-C.5.9 Topographic information, including contours at two foot (2') intervals, flow line elevation of streams, and wooded areas.
- 6-C.5.10 The location, approximate dimensions, description and name of all proposed streets, alleys, drainage structures, parks, or other public areas, reservations, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision. Proposed channel cross sections, if any. Existing and/or proposed well site locations.
- 6-C.5.11 A number or letter to identify each lot or site and each block.
- 6-C.5.12 Location of current city limits line, and current zoning district boundary.
- 6-C.5.13 Vicinity map at a scale of not less than five hundred feet (500') per inch, which shall show existing subdivisions, streets, easements, right-of-way, parks, and public facilities in the vicinity, and the general drainage plan and ultimate destination of water for a distance of one quarter (1/4) mile, and possible storm sewer, water, gas, electric, and sanitary sewer connections by arrows.
- 6-C.5.14 Show number of residential lots.

**(Ordinance No. 2179 of May 9, 1996)**

- 6-C.6 If a change in zoning is contemplated or necessary, the subdivider shall submit a formal request of zoning change as required under the zoning ordinance with the preliminary plat application."

**(Ordinance No. 2386 of April 22, 1999)**

6-C.7 Processing the Preliminary Plat

- 6-C.7.1 When the preliminary plat is received with subdivider's application for approval and the filing fee, all copies received shall be dated, stamped, and signed, and one (1) copy returned to the subdivider and immediately distributed to other City departments concerned for their review .
- 6-C.7.2 A copy of the preliminary plat will be forwarded to the Commission with staff comments.

**(Ordinance No. 2404 of August 12, 1999)**

- 6-C.7.3 The applicant will be advised of the date set for Commission consideration.
- 6-C.7.4 Within thirty (30) days after the preliminary plat is formally filed with the City, the Commission shall approve, disapprove or conditionally approve the plat with modifications.
- 6-C.7.5 Approval or conditional approval of a preliminary plat shall be effective for one (1) year from the date of such notice, unless reviewed by the Commission in the light of new or significant information which would necessitate a revision, in which case the Commission shall so inform the subdivider in writing.

- 6-C.7.6 If a final plat is not submitted within one (1) year of the effective date of approval, the Commission may, upon written application of the subdivider, extend the approval for an additional six (6) months.

(Ordinance No. 2179 of May 9, 1996)

6-D General - Final Plats (including replats, minor plats, amending plats)

- 6-D.1 These plats shall conform to the preliminary plat as approved by the Commission, and if desired by the subdivider, it may be a portion of a master preliminary plat as authorized in 6-B.2 above; provided it incorporates all changes, modifications, corrections, and conditions imposed by the Commission; and provided further, that it conforms to all requirements of these regulations.

(Ordinance No. 2386 of April 22, 1999)

6-D.2 Filing Fees

There shall be an application fee as established by Council resolution from time to time for the filing of final plats, amending plats and minor plats.

6-D.3 Time of Filing

Ten (10) copies of the plat, together with a film positive thereof, two (2) sets of construction plans and documents, tax payment certificates, and a formal application shall be filed with the City, with the application fee, at least twenty (20) days prior to the (1) meeting of the Commission at which it is to be considered or (2) prior to consideration by the City Engineer, in the case of minor and amending plats. The plat will not be considered unless a preliminary plat has been filed and approved, except in the case of dedication of land for a street, park, school site, or drainage easements.

6-D.4 Form and Content

- 6-D.4.1 The plat shall be drawn on sheets twenty-four inches (24") by thirty-six inches (36"), on a scale of one hundred feet (100') to one inch (1"). Where more than one (1) sheet is required, an index sheet showing the entire subdivision, and drawn to a scale of not less than five hundred feet (500') per inch shall be attached. The construction plans shall be drawn on twenty-four inch (24") by thirty-six inch (36") sheets.

- 6-D.4.2 In addition to the various requirements of the preliminary plat, the final, amending or minor plat shall also include the following, based on field survey and marked by monuments and markers:

- 6-D.4.2.1 The exact location, dimensions, name, and legal description of all existing or recorded streets, alleys, reservations, easements, or other rights-of-way within the subdivision, intersecting or contiguous with the boundary or forming such a boundary with accurate dimensions, bearings or deflection angles and radii, area, center angle, degree of curvature, tangent distance, and length of all curves, where applicable.

- 6-D.4.2.2 The exact location, dimensions, description, and name of all proposed streets, alleys, drainage structures, parks, and other public areas, reservations, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision, with accurate dimensions, bearings, or deflection angles and radii, areas, center angle, degree of curvature, tangent distance, and length of curves, where applicable.

(Ordinance No. 2179 of May 9, 1996)

6-D.4.2.3 Lot corner markers and survey monuments shall be shown clearly by symbol, and clearly tied to City of College Station horizontal control monuments, established 1994, whenever reasonable.

(Ordinance No. 2404 of August 12, 1999)

6-D.4.2.4 The following certificates, when applicable, shall appear on the face of the plat: (See samples in Appendix A attached.)

Certificate of Ownership and Dedication;  
Certificate of Surveyor and/or Engineer;  
Certificate of City Engineer;  
Approval of Commission; and  
Certificate of the County Clerk.

6-D.4.3 When filed, the plat shall be accompanied by the construction documents as prescribed below, in duplicate, and bearing the seal and signature of a registered professional engineer. All shall be in accordance with city engineering standards.

6-D.4.3.1 Street, alley, and sidewalk plans, profiles, and sections, with specifications and detail cost estimates.

6-D.4.3.2 Sanitary sewer plat with two foot (2') contours, plan and profile lines, showing depth and grades, with cost estimates.

6-D.4.3.3 Water line plat showing fire hydrants, valves, etc., with specifications and a detailed cost estimate. This may be combined with 6-D.4.3.2.

6-D.4.3.4 Storm drainage system plat with two foot (2') contours, street lines, inlets, storm sewer and drainage channels with profiles and sections, and showing drainage and runoff areas, and runoff based on five (5), ten (10), and twenty-five (25) year rain intensity. Detail drainage structure design and channel lining design if used, with specifications and detail cost estimate.

6-D.4.3.5 Street lighting plan showing location of lights, design, and with specifications and detail cost estimate.

6-D.4.4 When filed, the final plat shall also be accompanied by certificates from all taxing agencies showing payment of all ad valorem taxes on the land within the subdivision.

#### 6-D.5 Processing the Final Plat, Amending Plat or Minor Plat

6-D.5.1 When the final plat, together with the accompanying data, filing fee, and the application for approval is received by the City Planner, it will be handled in the same manner and under the same time schedule as prescribed in Section 6C above for a preliminary plat.

6-D.5.2 Within thirty (30) days after the final plat is formally filed, the Commission shall approve, disapprove, or conditionally approve such plat.

6-D.5.3 Within twenty (20) days after an amending or minor plat is formally filed, the City Engineer, or his designee, and the City Planner, or his designee, shall approve such plat or notify the applicant that consideration of the plat will be forwarded to the Commission. The Commission shall

approve, disapprove or conditionally approve the plat within thirty (30) days of the City Engineer's decision and notification to the applicant.

A report shall be made to the Commission at each meeting notifying the Commission of any new minor or amending plats that were approved by the City Engineer since the last Commission meeting. The same report shall be forwarded to the Council through the Office of the City Manager.

6-D.5.4

After conditional approval of a plat, the subdivider shall notify the City Engineer within ten (10) days as to the construction procedure he proposes to follow. He shall follow one (1) of the following procedures:

6-D.5.4.1

The subdivider may proceed with construction of streets, alleys, sidewalks, and utilities that he is required to install, in which case the City will inspect the work as it progresses, and upon completion and final acceptance, and upon written request of the subdivider, the final plat will be approved and filed for record with the County Clerk. The subdivider shall pay the record filing fee.

6-D.5.4.2

The subdivider may elect to file a "guarantee of performance" as provided in Section 7, in which case the guarantee of performance shall be filed with the City Secretary, together with a request that the plat be filed for record. In this case, the final plat will be approved and filed with the County Clerk. The subdivider shall pay the record filing fee. The City will inspect the construction work as it progresses and will make the final inspection to assure compliance with City requirements.

6-D.5.5

Upon completion of construction, the subdivider shall deliver to the City a one (1) year guarantee of workmanship and materials as provided in Section 7.

**(Ordinance No. 2179 of May 9, 1996)**

## SECTION 7: GUARANTEE OF PERFORMANCE

7-A If the subdivider elects to construct the required improvements prior to recording of the plat, after such plat has been approved, all such construction shall be inspected while in progress, by the City Engineering department, and must be approved upon completion by the City Engineer. A certificate by the City Engineer that the construction conforms to the plans and specifications and the standards contained in or referred to herein must be presented to the commission prior to approval of the final plat.

7-B If the subdivider decides or elects to file security in lieu of completing construction prior to final plat approval, he may utilize one (1) of the following methods of posting security. If the subdivider elects to file security, the plat shall not be approved unless the subdivider has done one (1) of the following:

### 7-B.1 Performance Bond

Has filed with the commission a bond executed by a surety company holding a license to do business in the State of Texas, and acceptable to the City of College Station on a form approved by the City, in an amount of the improvements as estimated by the City Engineer. The performance bond shall be approved as to form and legality by the City Attorney; or

### 7-B.2 Trust Agreement

Has placed on deposit in a bank or trust company in the name of the City, and approved by the City, in a trust account, a sum of money equal to the estimated cost of all improvements required by this chapter, the cost and the time of completion as estimated by the City Engineer; selection of the trustee shall be subject to approval by the city and the trust agreement shall be executed on the form provided by the city and approved as to form and legality by the City Attorney. Periodic withdrawals may be made from the trust account for a progress payment of installation costs. The amount of withdrawals shall be based upon progress work estimates approved by the City Engineer. All such withdrawals shall be approved by the trustee; or

### 7-B.3 Unconditional Guarantee from Local Bank or Local Savings & Loan Association or Other Financial Institution as Approved by the City of College Station

Has filed with the commission a letter, in a form approved by the city, signed by a principal officer of a local bank, local savings and loan association, or other financial institution, acceptable to the city, agreeing to pay to the City of College Station, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider is responsible under this chapter. The guaranteed payment sum shall be the estimated costs and scheduling as prepared by the subdivider's engineer and approved by the City Engineer. The letter shall state the name of the subdivision and shall list the improvements which the subdivider is required to provide.

7-C If one (1) of the three (3) types of security is filed by the subdivider under paragraph 7-B of this section, the City Engineer shall inspect the construction of improvements while in progress, and, shall inspect such improvements upon completion of construction. After final inspection, he shall notify the subdivider and the City Attorney in writing as to its acceptance or rejection. He shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. If he rejects such construction, the City Attorney shall, on direction of the City Council, proceed to enforce the guarantees provided in this chapter.

7-D When good cause exists, the City Engineer may extend the period of time for completion under paragraph 7-B of this section. Such extension of time shall be reported to the Commission and recorded in the minutes. No such extension shall be granted unless security, as provided in said paragraph 7-B, has been provided by the subdivider covering the extended period of time.

7-E Neither the subdivider nor the contractor nor the subcontractor shall make a connection to or tap into the city water distribution system, electric system, or sanitary sewer system. The subdivider shall furnish all necessary materials to make the final tap or connection.

7-F The subdivider shall require his construction contractors, with whom he contracts for furnishing materials and for installation of the improvements required under this chapter, and shall himself be required to furnish to the city a written guarantee that all workmanship and materials shall be free of defects for a period of one (1) year from the date of acceptance by the City Engineer.



## SECTION 8: GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

### 8-A Community Assets

In all subdivisions, due regard shall be shown for all natural features such as trees, watercourses, historical spots, and similar community assets, which, when preserved, will add attractiveness and value to the property.

### 8-B Suitability of Lands

The Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

### 8-C Large Tracts or Parcels

When land is subdivided into larger parcels rather than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the comprehensive plan of the City requires principal streets to cross the subdivision, the right-of-way shall be dedicated to the public.

### 8-D Zoning and Other Regulations

No plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such zoning or other pertinent regulations.

### 8-E Reserved Strips Prohibited

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

### 8-F Standards

All construction on streets, alleys, or easements shall be designed and constructed in accordance with City Engineering standards and specifications, and in particular regard for the street regulation section.

### 8-G Streets

#### 8-G.1 Street Layout

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width, and grade of each shall conform to the comprehensive plan of the city and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of the land to be served by such streets.

#### 8-G.2 Relation to Adjoining Street Systems

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

No tract, lot or parcel shall be subdivided unless the required internal street system adjoins an existing, paved public right-of-way.

Oversize participation, at the City's request, will be granted pursuant to Section 9 herein.

**(Ordinance No. 2563 dated June 13, 2002)**

**8-G.3 Street Jogs**

Whenever possible, street jogs with center-line offsets of less than one hundred twenty-five feet (125') shall be avoided.

**8-G.4 Half Streets**

No half streets shall be platted.

**8-G.5 Dead-end Streets**

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

**(Ordinance No. 1971 of August 27; 1992)**

**8-G.6 Cul-de-Sacs**

Cul-de-sacs shall have twenty-four (24) or fewer lots, and shall terminate in a turnaround not less than one hundred feet (100') in diameter, with a pavement diameter of eighty feet (80').

**(Ordinance No.2404 of August 12, 1999)**

**8-G.7 Street Intersections**

Acute angles between streets at their intersections are to be avoided.

**(Ordinance No. 1971 of August 27; 1992)**

**8-G.8 Principal Streets on Master Plan**

Where subdivision embraces a principal street as shown on the master plan of the city, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the city may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this chapter. The Planning Commission may require that, where practical, residential lots adjacent to arterial and collector be platted or restricted so as to prevent driveways opening into such streets.

**8-G.9 Minor Streets**

Minor streets shall be laid out to discourage their use of through traffic.

**8-G.10 Geometric Standards, Street Design Criteria**

Design Criteria for Urban and Rural streets are shown in Table 1, Street Design Criteria. The cross sections for each of the different street types generally reflect the criteria set forth in Table 1.

Refer to street regulation section for other requirements.

**TABLE I - STREET DESIGN CRITERIA**

Criteria	Residential			Collector			Arterial		
	Alley	Urban <sup>1</sup>	Rural	Rural	Minor	Major	Minor (undiv.)	Minor (div.)	Major (div.)
ROW <sup>2</sup>	24'	50'	70'	80'	60'	70'	90'	90'	120'
Pavement Width <sup>3</sup>	20'	27'	24'	30'	38'	48' or 54'	70'	70' or 74'	94'
Traffic Lanes	2	2	2	2	2	3 or 4	5	4	6
Lane Width	10'	12'	12'	15'	11' or 13'	11'/16' <sup>4</sup>	11/16' <sup>4</sup>	11/16' <sup>4</sup>	11/16' <sup>4</sup>
Shoulder Width	N/A	N/A	2 @ 2'/ea.	2 @ 2'/ea.	N/A	N/A	N/A	N/A	N/A
Continuous Two-Way Left Turn Lane (width)	none	none	none	none	none	permitted (12')	required (16')	none	none
Parking	none	permitted (limited)	none	none	permitted w/o bike lanes	none	none	none	none
Median	none	none	none	none	none	none	none	16'	18'
Min. Grade	.6%	.6%	.6%	.6%	.6%	.6%	.6%	.6%	.6%
Max. Grade	8%	8%	6%	6%	6%	6%	6%	6%	6%
Min. Horz. Radius (center line)	200'	200'	200'	400'	400'	500'	850'	850'	1,050'
Min. Tangent between curves	0'	0'	0'	75'	100'	100'	100'	100'	250'
Sidewalks <sup>5</sup>	none	one-side	none	none	both	both	both	both	both
Design Speed (mph) <sup>6</sup>	30	30	30	30	30	35	40	40	45
Bike Lanes	N/A	N/A	N/A	N/A	permitted	permitted	N/A	permitted	permitted (limited)
Volume Range (vehicles/day) Guideline		200 to 1000	100 to 1000	1000 to 5000	1000 to 5000	5000 to 10,000	10,000 to 20,000	10,000 to 25,000	20,000 to 45,000

<sup>1</sup> Residential streets may be designated as either “through” or “internal” (see definitions)

<sup>2</sup> Right-of-way width listed herein is a minimum, additional right-of-way or easements may be required.

<sup>3</sup> Pavement width is measured from back of curb to back of curb. For pavements with shoulders, the pavement width does not include the shoulder width.

<sup>4</sup> Wider lanes required on outside lanes only.

<sup>5</sup> There are no sidewalks required on rural residential streets or rural collectors that are wholly contained within the subdivision. (See Subsection 12-N. Sidewalks).

<sup>6</sup> For “internal” residential streets, the design speed may be reduced. This may allow for a smaller horizontal radius. Advisory signage will be required by the developer.



#### 8-G.11 Street Names

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person.

#### 8-H Alleys

8-H.1 Alleys may be required at the rear of all lots intended to be used for business purposes and may be provided in residential areas.

8-H.2 Alleys shall generally be parallel to the street, shall be not less than twenty feet (20') wide and shall be paved under City Engineering standards. The right-of-way for alleys shall be dedicated to the public.

8-H.3 Where two (2) alleys intersect, or where an alley turns, additional width may be required to allow turning of vehicles or guying of utility poles.

8-H.4 Dead-end alleys shall not be permitted, except where the alley is one hundred feet (100') or less in length.

8-H.5 In all alleys, overhead easements of at least four feet (4') in width shall be provided on each side of the alley right-of-way over which the aerial electric and communication lines must hang. This easement is not required when the electric and communication lines are placed underground.

#### 8-I Easements

##### 8-I.1 Drainage Easements

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. No construction, including fences, shall impede, constrict, or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the zoning ordinance. Drainage easements may be used for utilities.

##### 8-I.2 Utility Easements

8-I.2.1 Each block that does not contain an alley as provided in 8-H above, shall have a utility easement at the rear of all lots, reserved for the use of all utility lines, conduit, and equipment. These utility easements shall be twenty feet (20') in width, taken ten feet (10') from each lot where the rear of the lots abut each other, and shall be continuous for the entire length of a block. These easements shall be parallel as closely as possible to the street line frontage of the block.

8-I.2.2 Normal curb section shall be required where utility easements intersect streets.

8-I.2.3 Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.

8-I.2.4 Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full twenty foot (20') width of easement may be required along the rear of lots adjoining the unplatted area.

8-I.2.5 Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.

8-I.2.6 Overhead easements required same as for alleys, see 8-H.5.

## 8-J Blocks

8-J.1 Blocks generally shall be platted to provide two (2) tiers of lots with a utility easement or alley between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.

8-J.2 Block length shall not exceed one thousand two hundred feet (1,200') in single-family residential areas and shall not exceed eight hundred feet (800') in other areas. In blocks over eight hundred feet (800') in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

## 8-K Lots

8-K.1 Side lot lines which make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.

8-K.2 Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

## 8-L Access Way

Access ways, where required, shall have a ten foot (10') right-of-way, dedicated to the public. A four foot (4') sidewalk shall be constructed in the center of the right-of-way conforming to the City Engineering standards.

## 8-M Sidewalks

8-M.1 Sidewalks shall be required on both sides of all streets having a right-of-way width equal to or greater than sixty feet (60'). A sidewalk shall be required on one (1) side of all streets with a fifty foot (50') right-of-way with the exception of cul-de-sac streets. A sidewalk may be required on cul-de-sac streets if needed to provide through pedestrian access. Sidewalks shall be placed within the right-of-way as determined by the City Engineer and when so specified.

8-M.2 The subdivider shall construct all sidewalks according to one of the following placement alternatives:

- (a) sidewalks shall be placed against the back of curb and have a minimum paved width of six feet (6');

OR

- (b) sidewalks shall be placed such that a minimum six foot (6') buffer/green space is maintained between the back of curb and the inside edge of the sidewalk. The buffer/green space may be reduced to four feet (4') in width on residential streets with right of way widths not exceeding fifty feet (50'). Sidewalk paved width shall be a minimum of four feet (4') when not located adjacent to curbing;

*(As amended by Ordinance No. 2604 dated January 9, 2003.)*

AND

- (c) the subdivider shall assure that these minimums are sufficient to meet the anticipated pedestrian demand in the area.

8-M.3 Given that a combination or variation from the two placement methods as described in Section 8-M.2 is necessary or desired or that an obstruction is located within the paved area, the following criteria must be satisfied.

- (a) All radii in the transition section must be a minimum of ten feet (10').
- (b) All transition sections must be approved by the City Engineer.

8-M.4 In order to provide safe and adequate access on City sidewalks, all sidewalks shall meet minimum clear width requirements around all obstructions, natural or manmade, as described herein. Clear width shall mean the distance as measured from the outside

edge of the obstruction to the outside edge of the sidewalk or from the inside edge of the obstruction to the inside edge of the sidewalk. If the clear width is to be obtained between the inside edge of the sidewalk and the obstruction, given that the sidewalk is placed against the back of curb, the clear width shall be a minimum of six feet (6'). In all other cases, the minimum clear width shall be four feet (4').

**8-M.5** All sidewalks must be constructed concurrently with the thoroughfare or, if the thoroughfare is already constructed, prior to acceptance of any improvements.

**8-M.6** Exceptions to or partial waiver of the requirements of 8-M.1. may be granted by the City Council upon recommendation of the Planning and Zoning Commission and when it has been determined that satisfactory alternative pedestrian ways or pedestrian/bikeways have been or will be provided outside the normal right-of-way; or that unique circumstances or unusual topographic, vegetative, or other natural conditions prevail to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this chapter or the comprehensive development plan.

## **8-N Bikeways**

### **8-N.1 General**

Bikeways will be required in accordance with the Bikeway Master Plan. Bikeway facilities are planned and located to integrate with the existing City street and park system. The facilities are strategically located so as to minimize their numbers and to provide bikeways to certain areas or neighborhoods within the City.

### **8-N.2 Types of Bikeways**

There are three (3) types of bikeway facilities that shall be utilized. These are as follows:

- (1) Bike Path, a facility completely separated from auto traffic and within an independent right-of-way or within the right-of-way of another facility;

**(Ordinance No. 1971 of August 27, 1992)**

- (2) Bike Lane, a facility where part of the roadway or shoulder is striped, signed, and marked for exclusive or preferential bicycle use and where vehicle parking is not permitted, unless otherwise specified; and

**(Ordinance No. 2320 of April 9, 1998)**

- (3) Bike Route, a facility designated by signing to help make motorists aware of the presence of bicycles which share the right-of-way with motor vehicles.

### **8-N.3 Bikeway Location Criteria**

Bikeways shall be located to integrate with the existing City street and park system. Important criteria used in determining bikeway facility types and locations are:

- (1) Safety. Existing street width.
- (2) Existing and potential demand for use.
- (3) Continuity and directness.
- (4) Spacing. Relationship to other bikeway facilities.
- (5) Location of schools and other public facilities frequented by bicycle riders.
- (6) Location of linear parks and greenbelts.

**(Ordinance No. 1971 of August 27, 1992)**

### **8-N.4 Geometric Design Criteria**

All facilities shall be designed to meet or exceed standards set forth in the "Guide for Development of Bicycle Facilities" published by the American Association of State Highway and Transportation Officials (AASHTO). Signing and pavement markings for

such facilities shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). Geometric design criteria for each type of bikeway facility are as follows:

(1) Bike Routes

The placement of bike route signing identifies bicycle compatible streets that will serve as bike routes. Bike route identification and directional signs shall be located and installed as indicated on the Bikeway Master Plan.

Bike Routes provide an important function in that they provide for continuity in the overall bikeway system. Typically most bike routes will occur on local and collector streets as they are often most compatible for bicycle use without additional pavement. A minimum of 16 feet outer lane for collector arterial streets measured from the outer lane line to the back of curb shall be required for bike routes. A typical bicycle compatible street is shown in Figure 1.

Bike route signing should not end at a barrier. Information directing the bicyclist around the barrier should be provided.

The roadway width, along with factors such as the volume, speed, and type of traffic; parking conditions; grade; and sight distance should be considered when determining the feasibility of a bike route. Roadway improvements, such as safe drainage grates, railroad crossings, smooth pavements, maintenance schedules, and signals responsive to bicycles, should always be considered before a roadway is identified as a bike route.

**(Ordinance No. 2269 of October 9, 1997)**

(2) Bike Lanes

The bike lane is located within the vehicular roadway in the outside lane and is intended for the exclusive use of bicycles. Bike lanes in the City of College Station must be developed as one-way facilities and carry traffic in the same direction as adjacent motor vehicle traffic. Two-way bike lanes are not permitted because:

- (i) They require unconventional turns at intersections.
- (ii) They are conducive for bicyclists having to go the "wrong way" and to weave across traffic to bike in the proper lane.
- (iii) They require that bicyclists travel in a direction opposite the adjacent auto lane.

Typical bike lane design and layout is illustrated in Figure 2. A one-way bike lane against the curb requires a minimum of 5 feet measured from the edge of pavement, not including the gutter. The bike lane shall be delineated by a continuous painted stripe. The diamond preferential lane symbol (as designated in MUTCD) shall be located immediately after each intersection to inform motorists turning of the restricted nature of the lane.

At intersections, bicyclists proceeding straight and motorists turning right must cross paths. Striping and signing configurations which encourage these crossings in advance of the intersection, in a merging fashion, shall be preferred to those that force the crossing in the immediate vicinity of the intersection. Typical treatment of bike lanes at intersections is illustrated in Figures 3 and 4.

Adequate pavement surface, bicycles safe grate inlets, safe railroad crossings, and traffic signals responsive to the bicyclist shall be provided on roadways where bike lanes are designated. Raised pavement markings and raised barriers can cause steering difficulties for bicyclists and should not be used to delineate bike lanes.

In general, parking in bike lanes is prohibited. However, parking may be permitted in a bike lane in specific areas during specified times. Where parking in a bike lane is permitted, signs shall be installed to provide notice to bicyclists of when parking is allowed. Parking in a bike lane shall be limited primarily to



spillover parking for public uses or events, but parking for non-public uses may also be considered.

**(Ordinance No. 2320 of April 9, 1998)**

**(iii) Bike Paths**

Bike paths are facilities used exclusively for bike traffic with minimal cross flow by motor vehicles. They should be located primarily in greenbelt areas or park-type areas. If a bike path is to be located in the right-of-way of an adjacent roadway there should be a minimum of five feet (5') separating the bike path from the roadway.

The paved width and the operating width required for a bicycle path are primary design considerations. Figure 5 depicts a bicycle path on a separated right-of-way. Under most conditions, a recommended all-paved width for a two-directional bicycle path is ten feet (10'). In some instances, however, a minimum of eight feet (8') can be adequate. This minimum should be used only where the following conditions prevail: (1) bicycle traffic is expected to be low, even on peak days or during peak hours (2) pedestrian use of the facility is not expected to be more than occasional, (3) there will be good horizontal and vertical alignment providing safe and frequent passing opportunities, (4) the path will not be subjected to maintenance vehicle loading conditions that would cause pavement edge damage. Under certain conditions it may be necessary or desirable to increase the width of a bicycle path to twelve feet (12'); for example, because of substantial bicycle volume, probable shared use with joggers and other pedestrians, use by large maintenance vehicles, steep grades and where bicyclists will be likely to ride two abreast.

The minimum width of a one-directional bicycle path is five feet (5'). It should be recognized, however, that one-way bicycle paths often will be used as two-way facilities unless effective measures are taken to assure one-way operation. Without such enforcement, it should be assumed that bicycle paths will be used as two-way facilities and designed accordingly.

A minimum of two-foot width graded area should be maintained adjacent to both sides of the pavement; however, three feet (3') or more is desirable to provide clearance from trees, poles, walls, fences, guard rails, or other lateral obstructions. A wider graded area on either side of the bicycle path can serve as a separate jogging path.

The vertical clearance to obstructions should be a minimum of eight feet (8'). However, vertical clearance may need to be greater to permit passage of maintenance vehicles and, in under crossings and tunnels, a clearance of ten feet (10') is desirable.

**8-O Water Supply**

**8-O.1** All subdivisions shall be provided with water supply and distribution systems for fire protection and domestic use. The design of which shall be approved and enforced by the City Engineer in accordance with applicable city, state and federal statutes, codes, City of College Station construction specifications and acceptable engineering practice.

Oversize participation, at the City's request, will be granted pursuant to Section 9 herein.

**(Ordinance No. 2563 dated June 13, 2002)**

**8-O.2** Public fire hydrants of City of College Station standard design shall be installed as a part of the water distribution system in accordance with applicable city codes.

**8-P Sanitary Sewers**

**8-P.1** All subdivisions shall be provided with an approved sanitary sewerage system, meeting the standards of the City Engineering department. Curved sewers of not less than one

hundred foot (100') radius are accepted, manholes of not over five hundred foot (500') spacing.

Oversize participation, at the City's request, will be granted pursuant to Section 9 herein.

**(Ordinance No. 2563 dated June 13, 2002)**

8-P.2 If the sewerage system includes treatment facilities, the plan must be approved by the Texas State Department of Health, and subdivider must have a permit for the discharge of effluent from the Texas Water Quality Board, before the approval by the commission.

**(Ordinance No. 1971 of August 27, 1992)**

8-P.3 On-site waste water disposal systems, including private septic systems, may be used in areas where topography, density of development and/or other factors make sewer collection facilities impractical. Such systems, when allowed, must meet the requirements of Brazos County.

**(Ordinance No. 2131 of June 21, 1995)**

8-Q Drainage

Drainage shall be provided to handle runoff as calculated, street inlets for a five (5) year rain, storm sewers for a five (5) year rain, and bridges for a twenty-five (25) year rain, all as approved by the City Engineer. Water shall not be carried on the street for a distance greater than a five (5) year rain will overflow the curb. Drainage shall be handled in natural stream channels insofar as practical. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

8-R Utility Lines

All utility lines that pass under streets or alleys shall be installed before the street or alley is paved, with embedment, backfill, and depths as approved by the City Engineer, or the crossing shall be bored.

8-S Gas or Oil Lines

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over sixty (60) pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a minimum cover of thirty inches (30"), and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than three hundred feet (300'). The signs shall be installed by the utility company, state that the line is high pressure, and shall name the product or products transported therein.

**(Ordinance No. 1971 of August 27, 1992)**

8-T Street Lights

8-T.1 Basic Policy

It shall be the policy of the City of College Station that adequate street lighting for the protection of the public and property be installed in all new subdivisions. Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

8-T.2 General Standards

- (1) The actual number of street lights to be required, as well as the type and size of luminaire, and the installation, location and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the Developer, subject to the approved street light pole standards of the Public Utilities Department.

- (2) Street lights shall normally be required at all street intersections and access ways, in cul-de-sacs, and at generally three hundred feet (300') intervals or less on tangent streets.
- (3) The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be five feet (5') in width.
- (4) The installation of subdivision lighting shall be performed by either of the following:
  - (a) By City, subject to cost reimbursement as provided in Section 9-G herein.
  - (b) By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

**(Ordinance No. 1985 of November 12, 1992)**

**8-U Electric Service Installation**

- 8-U.1.** All electric utility service shall be installed underground in residential, multi-family residential, commercial and industrial subdivisions. All lateral electric lines and service lines supplying electric utility service shall be placed underground.
- 8-U.2.** Overhead feeder lines may be placed within the above-listed subdivisions in the following locations:
- 8-U.2.a.** Along the perimeter of the platted subdivision.
- 8-U.2.b.** Adjacent to or within the right-of-way of thoroughfares identified on the current thoroughfare plan of the City of College Station and approved for the location of overhead utilities.
- 8-U.2.c.** Within alleys or dedicated easements identified for the location of aerial utility service on the approved subdivision plat.
- 8-U.3.** The Subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use.
- 8-U.4.** Where the electric service is placed underground, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed.
- 8-U.5.** The Subdivider shall be responsible for furnishing and installing, and the expenses related thereto, of conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the Electrical Department prior to installation.
- 8-U.6.** Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground.
- 8-U.7.** Temporary utility service may be provided via overhead line extension.

**(Ordinance No. 2020 of July 8, 1993)**

**8-V Monuments and Corner Markers**

- 8-V.1** All block corners, angle points and points of curves, and all corners of boundary lines of subdivisions shall be marked with a one-half inch (1/2") steel rod, two feet (2') in length, set in the center of a concrete monument six inches (6") in diameter and thirty inches (30") deep, with the top flush with the finished ground surface.
- 8-V.2** Where, due to topographic conditions, permanent structures or other conditions, the view is obstructed between any two (2) adjacent monuments, intermediate monuments shall be set as to assure a clear view between adjacent monuments.

- 8-V.3 Corner markers, consisting of a one-half inch (1/2") steel rod or three-fourths inch (3/4") pipe, two feet (2') in length, shall be driven flush with the ground surface to mark the corners of all lots.

(Ordinance No. 1971 of August 27, 1992)

8-W     Gating of Roadways

PURPOSE: To achieve orderly development of a secured (GATED) community. To protect and promote the health, safety, and general welfare of the City.

DEFINITION: Gated Community: A residential area requiring mandatory membership in a Homeowners Association (HOA) and having its primary means of access controlled by an electric or manual gate administered by the HOA.

8-W.1   General Requirements

- (a) Gating of a public roadway is prohibited.
- (b) Driveways are considered roadways for the purpose of these gating requirements.
- (c) The gate shall not block area-wide through routes or block access for roadways to serve future development.
- (d) Access shall be provided at all times for police, fire, city inspection, mail delivery, garbage pickup, dial-a-rides, utility, school buses, and other health and safety related vehicles. Access must not require drivers to exit their vehicle.
- (e) A private street subdivision will not cross an existing or proposed thoroughfare as shown on the City's most recent Thoroughfare Plan. A private street subdivision will not disrupt or cross an existing or proposed City of College Station public pedestrian pathway, hike and bike trail or park as shown on the City's most recent Parks and Open Space Plan.
- (f) The gate design and implementation shall be such that it does not pose a threat to public health, safety and welfare.
- (g) The infrastructure main lines (electrical, water, and sewer) shall be maintained by the City of College Station.

8-W.2   Homeowners Association (HOA)

- (a) A Homeowners Association shall be established with direct responsibility to, and controlled by, the property owners involved to provide for operation, repair and maintenance of all common areas, fences, walls, gate equipment, landscaping, and all other common facilities, including private streets and sidewalks, which are part of the subdivision (the "Common Facilities").
- (b) All property owners within an existing residential area that is proposed to be gated shall agree to become members of an operative Homeowners Association (HOA).
- (c) The HOA shall prepare and file for record a legal instrument establishing a plan for the use and permanent repair and maintenance of the Common Facilities and demonstrating that the association is self-perpetuating and adequately funded to accomplish its purpose.
- (d) The budget for the HOA shall include a fund reserved for the repair and maintenance of Common Facilities in the amount approved by the city staff.
- (e) The legal instrument establishing the Homeowners Association, street maintenance agreement, the approval of the reserve fund by the City Engineer or Director of Public Works, and written permission for the

City's access to the subdivision will be submitted for approval by the City Attorney prior to the submission of the final plat.

- (f) The City will be given written permission for practical access at any time without liability when on official business. The City will also be given written permission to remove obstructions including any gate and guard (house) upon non-compliance by the HOA of any terms of this ordinance or if necessary for the emergency vehicle access. In the event the City must remove obstructions to access the development, the HOA will be assessed all costs of removal.
- (g) In the event the City deems that repairs to private street(s) within a gated community are necessary in order to insure safe access and passage for emergency service vehicles, the City will notify the HOA and a public hearing will be set for input on the projected repairs. Should the HOA fail to provide the satisfactory repairs deemed necessary in a time frame set by the City at the public hearing, then the City will make the necessary repairs and assess the HOA all costs borne by the City in repair of the private street(s). Should the HOA fail to reimburse the City within 90 days, the HOA shall be subject to lien and possibly foreclosure of all assets including but not limited to the maintenance reserve fund address in Subsection 2(d) of this ordinance..

#### 8-W.3 Geometric Design Guidelines

- (a) All streets in the development shall be constructed in accordance with city standards.
- (b) The gate(s) location shall not be placed on a public right-of-way or easement.
- (c) All gate mechanical or manual operating functions shall meet fire department requirements and provide passage with unobstructed vertical clearance.
- (d) Gated entry way throat length designs taking access from residential, major and minor collector roadways shall meet the following requirements (Ref. Figures 1 & 2):
  - (1) A minimum of 20 feet for one residential single family lot.
  - (2) A minimum of 60 feet for up to twenty-five (25) single family lots.
  - (3). A minimum of 100 feet for twenty-six (26) single family lots or greater
- (e) The gated entry way lengths taking access from major and minor arterials shall be determined and approved on a case by case basis by the City Planning Department.
- (f) Gated entry ways shall provide adequate access for pedestrians and bicycles.
- (g) Gated entry ways to subdivisions shall provide adequate turnaround areas for vehicles that are denied access in order to prevent backing into a public street. (Ref. Figures 1 & 2)
- (h) The gated entry way driveway pavement widths to subdivisions, for both egress and ingress, shall be a minimum of 20 feet per driveway and are required to provide a minimum 4 feet center median. (Ref. Figures 1 & 2)
- (i) The gated area shall provide a minimum unobstructed vertical clearance of 14 feet 6 inches from finished roadway surface over the entire width of the entry roadway.

- (j) Public safety elements and signing shall be included in the gate entry way design.

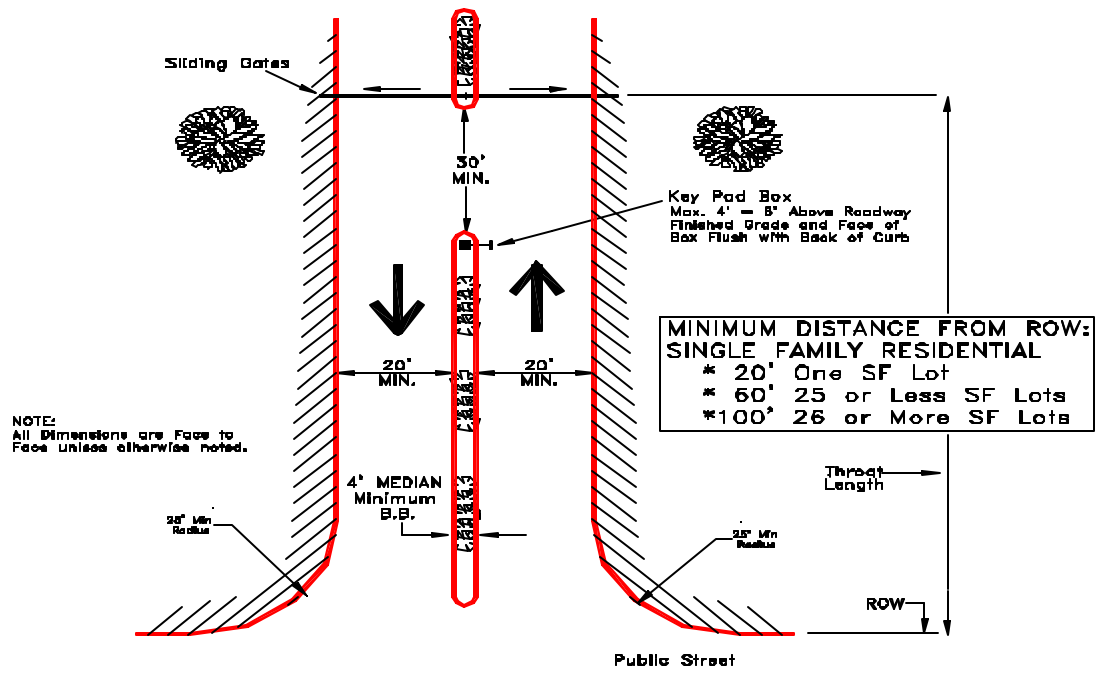


FIGURE 1

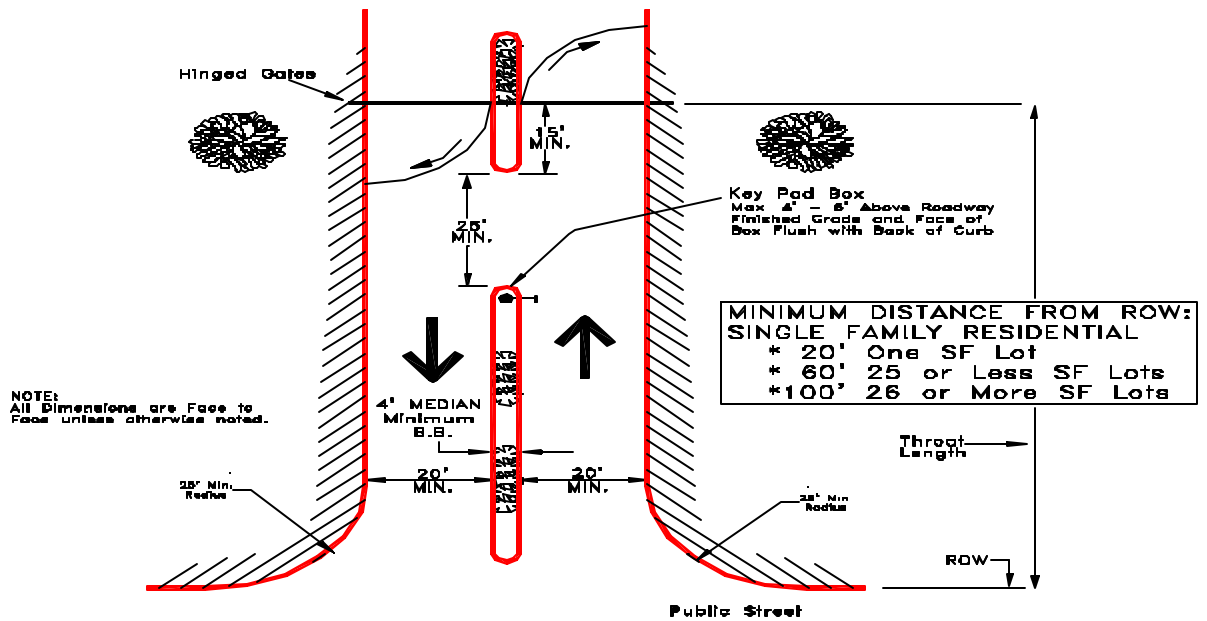


FIGURE 2

#### 8-W.4 Converting Private Streets to Public Streets

- (a) Upon a written request signed by HOA officers and submitted to the City Council of the City of College Station, dedication of private streets to the public may be accomplished providing the private streets are brought up to the standards for the public streets in the city and the City Council has agreed to accept the streets.
- (b) The written request by the HOA officers will be accompanied by a petition containing the signatures of the owners of 100% of the existing lots in the subdivision, except when in the public interest.
- (c) All repairs or reconstruction of private streets must be accepted by the City prior to conversion. All conversion dedication costs will be paid by the HOA.

#### 8-W.5 Indemnity

The Association hereby unconstitutionally and irrevocably agrees to indemnify, defend and hold the city and the city's officials, agents, employees and contractors harmless, from and against any loss, liability, demand damage, judgment, suite, claim deficiency, interests, fee, charge, cost or expense (including, without limitation, interest, court cost and penalties, attorney's fees and disbursement and amounts paid in settlement, or liabilities resulting from any charge in federal, state or local law or regulation or interpretation hereof) of whatever nature, even when caused in whole or in part by the city's negligence or the joint or concurring negligence of the city and any other person or entity, which may result or to which the city and/or any of the city's officials, agents, employees and contractors may sustain, suffer, incur or become subject to in connection with or arising in any way whatsoever out of the maintenance, repair use or occupation of the common facilities, or any other activity of whatever nature in connection therewith, or arising out of or by reason of any investigation, litigation or other proceedings brought or threatened, arising out of or based upon the operation, management, maintenance, repair and use of the common facilities, or any other activity in the subdivision.

#### 8-W.6 Existing Gates

Any gate as defined by this ordinance existing at the time of adoption of this ordinance which has received an approval from either the City or the County is deemed exempt from the requirements of this ordinance.

**(Ordinance No. 2280 of November 13, 1997)**



## SECTION 9: RESPONSIBILITY FOR PAYMENT FOR INSTALLATION COSTS

### 9-A General

The subdivider shall pay all costs of materials and installation of streets, alleys, sidewalks, drainage, and utilities, except as follows:

### 9-B Streets

Subject to statutory restrictions and approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of thoroughfares where the width required by the City is in excess of those requirements specified in Section 8-G.10, and agreeing to participate in the extra cost according to the following guidelines:

9-B.1 The proposed thoroughfare and right-of-way, necessary for it must be located inside the city limits of the City of College Station at the time the construction of the streets is to begin.

9-B.2 The plans and specifications for the construction of the proposed thoroughfare must have been reviewed and approved by the City Engineer of the City of College Station.

9-B.3 The street must meet the criteria described in the City's "Future Land Use Plan", as follows:

9-B.3.1 A Principal arterial located and designed to provide a direct traffic route over fairly long distances within the metropolitan area. It is intended that traffic volumes be relatively high, but speeds are high enough only to ensure smooth flow. Access controls are provided only at major traffic junctures with traffic controls located at most intersections. Frontage is either limited or controlled by use of service road. Texas Avenue and University Drive are examples of principal arterials.

9-B.3.2 A minor arterial located and designed to serve the high volume traffic needs of the local area. These routes are continuous through the community, and should connect with similar thoroughfares in adjacent cities. Access is controlled through placement of entering streets, driveway prohibitions, medians, left-turn lanes, and signalization. Holleman Drive and Southwest Parkway are examples of minor arterials.

9-B.4 A preliminary request for oversize participation, based upon an engineer's estimate for the project, must be presented to the City Council prior to the beginning of construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order, with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. Council approval and participation shall be contingent and subject to commencement within one (1) year of Council approval and completion of the thoroughfare by the date so designated by the Council. If construction of an approved project is not either begun within one (1) year of Council approval, or completed by the date designated by the Council, then Council approval shall be automatically revoked, the funds will be returned to the oversize street fund and will be available for the next request. After the street has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate.

9-B.5 The City's participation shall be limited to a percentage of construction costs and the actual value of the undeveloped land in excess of that required for the thoroughfare as established by an appraisal prepared by a MAI appraiser approved by the City Right-of-Way Agent, which appraisal is acceptable to the City Right-of-Way Agent. The cost of the appraisal shall be borne by the subdivider.

9-B.6 At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the thoroughfare to the City. The City Council may elect not to participate or it may elect to limit participation.

9-B.7 The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the Council agrees otherwise and the project is placed out to public bid.

#### 9-C Water Supply

Subject to the statutory requirements and the approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of water pipelines according to the following guidelines:

9-C.1 A determination must be made by the City Engineer that the additional capacity is necessary for serving areas beyond the limits of the area established by the subdivider's master development plan. But however, in no event will the City participate in the cost of a waterline of a diameter of eight inches (8") or less.

9-C.2 The proposed waterline must be located inside the city limits of the City of College Station at the time the construction of the waterline begins.

9-C.3 The plans and specifications for the construction of the waterline must have been reviewed and approved by the City Engineer of the City of College Station.

9-C.4 The waterline must be new.

9-C.5 A preliminary request for oversize participation based upon an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. Council approval and participation shall be contingent and subject to commencement within one (1) year if so designated by the Council. If construction of an approved project has not begun within one (1) year of Council approval, or completed by the date designated by the Council, then Council approval shall be automatically revoked, the funds will be returned to the oversize waterline participation fund and will be available for the next request. After the water line has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate.

9-C.6 The City's participation will be limited to a percentage of construction costs only.

9-C.7 At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the waterline to the City. The City Council may elect not to participate or it may elect to limit participation.

9-C.8 The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the Council agrees otherwise and the project is placed out to public bid.

#### 9-D Sanitary Sewers

Subject to statutory requirements and the approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of sanitary sewer lines according to the following guidelines:

9-D.1 A determination must be made by the City Engineer that additional capacity and/or depth is necessary for serving areas beyond the limits of the area established by the subdivider's master development plan. But however, in no event will the City participate in the cost of a sewerline of a diameter of eight inches (8") or less.

9-D.2 The proposed sanitary sewerline must be located inside the city limits of the City of College Station at the time construction of the sanitary sewerline begins.

9-D.3 The plans and specifications for the construction of the sanitary sewerline must have been reviewed and approved by the City Engineer of the City of College Station.

9-D.4 The proposed sanitary sewerline must be new.

- 9-D.5 A preliminary request for oversize participation based upon an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, the funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. Council approval and participation shall be contingent and subject to commencement within one (1) year of Council approval and completion of the thoroughfare by the date so designated by the Council. If construction of an approved project is not either begun within one (1) year of Council approval, or completed by the date designated by the Council, then Council approval shall be automatically revoked, the funds will be returned to the oversize sewerline fund and will be available for the next request. After the sewerline has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate.
- 9-D.6 The City's participation shall be limited to a percentage of construction costs only.
- 9-D.7 At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the proposed sewerline to the City. The City Council may elect to not participate or it may elect to limit participation.
- 9-D.8 The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the Council agrees otherwise and the project is placed out to public bid.

(Ordinance No. 1816 of July 27, 1989)

9-E     Bridges/Culverts

The subdivider shall, at his own cost, dedicate all rights-of-way and construct all drainage facilities according to the Drainage Policy and Design Standards of the City of College Station. When, in order to comply with the Drainage Policy and Design Standards, it is necessary to install bridges with hydraulic capacity in excess of that required to serve the area being developed, the developer shall construct such oversize structures.

The City may participate in the cost of oversize bridge structures according to the following guidelines:

- 9-E.1 The proposed bridge or culvert must be located inside the city limits of the City of College Station at the time construction of the bridge or culvert begins.
- 9-E.2 The plans and specifications for the construction of the bridge or culvert must have been reviewed and approved by the City Engineer of the City of College Station.
- 9-E.3 The proposed bridge or culvert must be on a new street. The street must meet the criteria described in the City's "Future Land Use Plan" for a major or minor arterial. The bridge or culvert must either have a span greater than twenty feet (20') or have an open end area greater than two hundred square feet (200 sq. ft.). Considered in the cost will be the bridge or culvert structure itself, headwalls and wingwalls.
- 9-E.4 A preliminary request for oversize bridge and culvert participation based on an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. Council approval and participation shall be contingent and subject to commencement within one (1) year of Council approval and completion of the thoroughfare by the date so designated by the Council. If construction of an approved project has not begun within one (1) year, of Council approval, or completed by the date designated by the Council then Council approval shall be automatically revoked, the funds will be returned to the oversize bridge fund and will be available for the next request. After the bridge or culvert has been completed and accepted by the City Engineer,

payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate.

9-E.5 The City's participation shall be limited to a percentage of construction costs only.

9-E.6 At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the proposed bridge or culvert to the City. The City Council may elect not to participate or it may elect to limit participation.

9-E.7 The City's participation will be based on the percent hydraulic capacity required in excess of the capacity needed to serve property owned or controlled by the developer. The amount of participation by the City shall be limited to a maximum of thirty percent (30%) of the cost of the bridge. No other participation payment shall be made on the same request.

**(Ordinance No. 1882 of February 14, 1991)**

9-F Electric Service Costs

(Note: Subsections 9F.1. and 9F.2 were deleted in their entirety and Ordinances 2020 and 2188 were repealed on October 28, 1999, by Ordinance No. 2417.)

**(Ordinance No. 2417 of October 28, 1999)**

9-G Street Lights

The developer shall pay the entire cost of the subdivision street light installation, including the cost of service lines to supply electricity to the street lights, and all engineering design costs. Once satisfactorily installed, approved, and accepted, the maintenance of the street lights and the furnishing of electric energy to the street lights shall be provided by the City.

**(Ordinance No. 1985 of November 12, 1992)**

9-H Street Signs

The City will install street signs at no cost to the subdivider.

9-I Engineering

9-I.1 The City will charge for engineering inspection during construction and for final inspection as established by Council resolution from time to time; however, it is to be understood that the City will do no layout work or daily inspection.

**(Ordinance No. 1816 of July 27, 1989)**

9-I.2 The City may require compaction tests on embankments and flexible bases, and depth tests on flexible bases and pavements, and pressure tests on piping systems, before final inspection and approval. Charges for such inspection shall be as established by Council resolution from time to time.

**(Ordinance No. 2037 of October 28, 1993)**

**SECTION 10: REQUIREMENTS FOR PARK LAND DEDICATION**

10-A. Purpose

10-A.1 This section is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision and site development in the City of College Station. This section is enacted in accordance with the home rule powers of the City of College Station, granted under the Texas Constitution, and the statutes of the State of Texas, including, but not by way of limitation, Texas Local Gov't Code Chapter 212 (Vernon 1988; Vernon Supp. 1999). It is hereby declared by the City Council that recreational areas in the form of neighborhood parks are necessary and in the public

welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding and remodeling of structures on existing residential property.

- 10-A.2 Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities and located within convenient distances from a majority of the residences to be served thereby. The park zones established by the Parks and Recreation Department and shown on the official Parks and Recreation map for the City of College Station shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The primary cost of neighborhood parks should be borne by the ultimate residential property owners who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities.

Therefore, the following requirements are adopted to effect the purposes stated above and shall apply to any land to be used for residential purposes:

10-B General Requirement

Dedications shall cover both land and development costs for neighborhood parkland for all types of residential development.

10-B-1 Land Dedication

Whenever a final plat is filed of record with the County Clerk of Brazos County for development of a residential area in accordance with the planning and zoning regulations of the City, such plat shall contain a clear fee simple dedication of an area of land to the City for park purposes. For single family developments this area shall be equal to one (1) acre for each one hundred and one (101) proposed dwelling units. For duplex and other multi-family development this area shall be equal to one (1) acre for each one hundred and twenty-five (125) proposed dwelling units. *For methodology refer to Appendix 1 attached herein and incorporated and made a part of this ordinance for all purposes.*

Any proposed plat submitted to the City for approval shall show the area proposed to be dedicated under this section. The required land dedication of this subsection may be met by a payment of money in lieu of land when permitted or required by the other provisions of this section.

In the event a plat is not required this dedication shall be met prior to the issuance of a building permit.

10-B.2 Fee in Lieu of Land

A land owner responsible for dedication under this section may elect to meet the requirements of 10-B.1. in whole or in part by a cash payment in lieu of land, in the amount set forth below. Before making this election, the land owner must obtain approval for the cash payment in lieu of land from the Planning & Zoning Commission pursuant to the plat approval procedures set out in Chapter 9, Section 6. Such payment in lieu of land shall be made at or prior to the time of filing the final plat for record at the Courthouse or prior to the issuance of a building permit where a plat is not required.

The fee in lieu of land dedication requirement shall be met by a payment of a fee set from time to time by resolution by the City Council, sufficient to acquire neighborhood parkland. Unless changed by the City Council, such per-acre price shall be computed on the basis of one hundred and ninety-eight dollars (\$198) per dwelling unit for single family development and one hundred and sixty dollars (\$160) per dwelling unit for duplex and multi-family development. *Refer to Appendix 1.* Cash payments may be used only for acquisition or development of a neighborhood park located within the same zone as the development.

10-B.3 Park Development Fee

In addition to the land dedication, there shall also be a fee set from time to time by resolution of the City Council sufficient to provide for development of the land to meet the standards for a neighborhood park to serve the zone in which such development is located. Unless changed by City Council this per-acre fee shall be computed on the basis of three hundred and fifty-eight dollars (\$358) per dwelling unit for single family developments and two hundred and ninety-two (\$292) for duplex and multi-family developments. *Refer to Appendix 1. Cash payments may be used only for development or acquisition of a neighborhood park located within the same zone as the development.*

#### 10-B.4 Park Development in Lieu of Fee

A developer has the option to construct the neighborhood park improvements in lieu of the park development fee. Development plans and specifications shall be reviewed and approved by the Parks and Recreation Advisory Board. All improvements shall either be financially guaranteed or accepted by the City prior to the filing of a plat in the case of platted developments or prior to issuance of certificates of occupancy in the event that platting is not required. The process of financial guarantee shall be the same as that found in section 7 of the Subdivision Regulations and shall be used whether a plat is required or not. Once improvements are accepted by the City the developer shall deed the property and improvements to the City.

10-B.5 In instances where an area of less than five (5) acres is required to be dedicated, the Planning and Zoning Commission shall have the right to accept the dedication for approval on the final plat, or to refuse same, after consideration of the recommendation of the Parks and Recreation Advisory Board. The City shall have the right to require payment of cash in lieu of land in the amount provided above, if it determines that sufficient park area is already in the public domain in the area of the proposed development, or if the recreation potential for that zone would be better served by expanding or improving existing parks.

10-B.6 The dedication required by this section shall be made by filing of the final plat or contemporaneously by separate instrument unless additional dedication is required subsequent to the filing of the final plat. If the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment of the cash in lieu of land amount provided above, or by the conveyance of an entire numbered lot to the City. For multi-family development or development where parkland was neither previously dedicated nor payment made with the filing of a plat, the additional dedication or payment in lieu of land required by this section shall be made at the time of the building permit application.

10-B.7 The City may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the City does purchase park land in a park zone, the City shall have the right to require subsequent park land dedications for that zone to be in cash only. This will be to reimburse the City its purchase cost. Once the City has been reimbursed entirely for all such park land within a park zone, this subsection shall cease to apply, and the other subsections of this section shall again be applicable.

10-C Prior Dedication; Absence of Prior Dedication

10-C.1 Credit shall be given for land and/or money dedicated pursuant to Ordinance 690 or 983.

10-C.2 If a dedication requirement arose prior to passage of this section, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual density of structures constructed upon property is greater than the former assumed density. Additional dedication shall be required only for the increase in density and shall be based upon the ratio set forth in 10-B. of this section.

10-C.3 At the discretion of the Planning & Zoning Commission, any former gift of land to the City may be credited on a per acre basis toward eventual land dedication requirements imposed on the donor of such lands. The Planning and Zoning Commission shall consider the recommendation of the Parks and Recreation Advisory Board in exercising its discretion under this subsection.

10-D Special Fund; Right to Refund

10-D.1 There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this section or any preceding ordinance, which fund shall be known as the park land dedication fund.

10-D.2 The City shall account for all sums paid in lieu of land dedication under this section with reference to the individual plats involved. Any funds paid for such purposes must be expended by the City within five (5) years from the date received by the City for acquisition and/or development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a prorata refund of such sum, computed on a square footage of area basis. The owners of such property must request such refund within one (1) year of entitlement, in writing, or such right shall be barred.

10-E Comprehensive Plan Considerations

10-E.1 The Park and Open Space Plan is intended to provide the College Station Parks and Recreation Advisory Board with a guide upon which to base future decisions. Because of the need to consider specific characteristics in the site selection process, the park locations indicated on the Plan are general. The actual locations, sizes, and number of parks will be determined when development occurs. The Plan will also be used to locate desirable park sites before development occurs, and those sites may be purchased by the City or received as donations.

10-E.2 Park Zones are established by the City's Comprehensive Plan and are configured to indicate service areas for neighborhood parks. Zone boundaries are established that follow key topographic features such as major thoroughfares, streams, and city limit lines.

10-F Additional Requirements; Definitions

10-F.1 Any land dedicated to the city under this section must be suitable for park and recreation uses. Consideration will be given to land that is in the floodplain or may be considered "floodable" even though not in a federally regulated floodplain as long as, due to its elevation, it is suitable for park improvements.

- (a) Neighborhood park sites should be adjacent to residential areas in a manner that serves the greatest number of users.
- (b) Neighborhood park sites should be located so that users are not required to cross arterial roadways to access them.
- (c) Sites should not be severely sloping or have unusual topography which would render the land unusable for organized recreational activities.

- (d) Sites should have existing trees or other scenic elements.
- (e) Detention / retention areas will not be accepted as part of the required dedication, but may be accepted in addition to the required dedication. If accepted as part of the park, the detention / retention area design must be approved by the City staff and must meet specific parks specifications.

10-F.2 Parks should be easy to access and open to public view so as to benefit area development, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land uses. The following guidelines should be used in designing parks and adjacent development.

- (a) Where physically feasible, park sites should be located adjacent to greenways and/or schools in order to encourage both shared facilities and the potential co-development of new sites.
- (b) A proposed subdivision adjacent to a park may not be designed to restrict reasonable access to the park from other area subdivisions. Street and greenways connections to existing or future adjoining subdivisions may be required to provide reasonable access to parks.
- (c) Where a non-residential use must directly abut a park, the use must be separated by a screening wall or fence and landscaping. Access points to the park may be allowed by the Planning and Zoning Commission if public benefit is established.
- (d) It is desirable that a minimum of fifty percent (50%) of the perimeter of a park should abut a public street. In all cases, the City shall approve the proposed street alignment fronting on city parks.
- (e) Streets abutting a park shall be built in accordance with the thoroughfare plan and the standards of this ordinance; however, the City may require any residential street built adjacent to a park to be constructed to collector width to ensure access and prevent traffic congestion. Developer may request oversize participation in such instance.

#### 10-G. Consideration and Approval

Any proposal considered by the Planning and Zoning Commission under this section shall have been reviewed by the Parks and Recreation Advisory Board and its recommendation given to the Commission. The Commission may make a decision contrary to such recommendations only by a concurring vote of at least five (5) members.

#### 10-H. Review of Dedication Requirements

The City shall review the fees set forth in this section every three (3) years. The City shall take into account inflation as it affects land and park development costs as well as the City's targeted level of service for parkland per one thousand population. Fees shall be set by resolution of the City Council.

*(As amended by Ordinance No. 2546 dated January 24, 2002)*



# *APPENDIX 1*

## **PARK LAND DEDICATION FEE METHODOLOGY**

### **I. Current Level of Service**

7 Acres Neighborhood & Community Park Land per 1,000 Population  
3.5 Acres per 1,000 (Neighborhood Parks)  
3.5 Acres per 1,000 (Community Parks)

### **II. Land Requirements**

Neighborhood Parks  
3.5 Acres/1,000  
1 Acre per 285 people

2000 CENSUS Figures - Total Population - 67,890  
2.80 Persons per Household (PPH) for Single Family and 2.28 Persons per Household for Multi-Family based on census information for owner and renter occupied units. The overall average from the Census is 2.52 persons per household (dwelling unit).

#### ***SINGLE FAMILY***

285 people / 2.80 PPH = 101 DUs  
1 Acre per 101 DUs

#### ***MULTI-FAMILY***

285 people / 2.28 PPH = 125 DUs  
1 Acre per 125 DUs

### **III. Neighborhood Park Acquisition Costs (Determines Fee in Lieu of Land)**

*(Assumption) 1 acre costs \$ 20,000 to purchase*

#### ***SINGLE FAMILY***

\$20,000 / 101 DUs = \$198 per DU

#### ***MULTI-FAMILY***

\$20,000 / 125 DUs = \$160 per DU

### **IV. Neighborhood Park Development Costs (Determines Fee for Development)**

- Cost of Average Neighborhood Park in College Station is \$300,000.
- One Neighborhood parks serves 2,341 people based on a Census population of 67,890 being served by 29 parks (count includes neighborhood parks and 6 mini parks).
- It costs \$128 per person to develop an average intergenerational neighborhood park.

#### ***Single Family***

\$128.00 X 2.80 PPH = \$358 per DU

#### ***Multi-Family***

\$128.00 X 2.28 PPH = \$292 per DU

### **V. Total Fee**

#### ***Single Family***

\$198 + \$358 = **\$556**

#### ***Multi-Family***

\$160 + \$292 = **\$452**

*(As amended by Ordinance No. 2546 dated January 24, 2002)*

## **SECTION 11: PLANNED UNIT DEVELOPMENT**

- 11-A. Standards and requirements of this chapter may, subject to approval of the City Council, be modified by the Commission in order encourage a complete and unique residential, business, or industrial development, with full consideration for public health, safety, and welfare.
- 11-B. A planned unit development may, under unusual circumstances, require no subdivision of land; however, generally if division into lots, drainage easement, utility easement, streets, parks, or other public lands are to be provided, or are required by the City, the requirements of this chapter for submission of a preliminary plat and a final plat shall be complied with.
- 11-C. A planned unit development requires a change in zone, as provided in the Zoning Ordinance, Chapter 12, Section 2 of this Code.

## SECTION 12: RURAL RESIDENTIAL SUBDIVISION REGULATIONS

### 12-A. General

The requirements outlined herein are intended to allow the development of rural residential subdivisions within the corporate boundary of the City of College Station, Texas. It is the intent of this section that these regulations be used to create a rural type atmosphere for development in areas where the Council through zoning deems it appropriate (See 12-F, Zoning). It is not the intent of this section to sacrifice the integrity of the City of College Station's current or future infrastructure systems.

### 12-B. Applicable Sections

Sections 1-7, 9 and 10 are applicable in their entirety to rural residential subdivisions.

### 12-C. Community Assets

In all subdivisions, attention shall be given to all natural features such as trees, watercourses, historical sites, and similar community assets, which, when preserved, will add attractiveness and value to the property.

### 12-D. Suitability of Lands

The Commission shall not approve the subdivision of land, if from adequate investigations conducted by staff, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land located within FEMA designated floodway and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Development of the flood fringe shall be controlled and designed in accordance with the City of College Station Drainage Ordinance. Such land within the plat shall be set aside for uses that shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

### 12-E. Large Tracts or Parcels

When land is subdivided into larger parcels rather than ordinary lots, as defined in the Zoning Ordinance, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the City's Comprehensive Plan requires principal streets to cross the interior of the subdivision or lie anywhere within the subdivision, the right-of-way shall be dedicated to the public.

### 12-F. Zoning

No plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such zoning or other pertinent regulations. A rural residential subdivision can only develop in a specific zone, as provided in the Zoning Ordinance, Chapter 12, Section 7. These rural residential regulations may only be applied in areas where the zone designation is A-OR.

### 12-G. Reserved Strips Prohibited

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

### 12-H. Standards

All construction on streets or easements shall be designed and constructed in accordance with City Engineering standards and specifications.

## 12-I. Streets

### 12-I.1 Goal

The goal of this section is to provide each lot in a rural residential subdivision with access to a durable and maintainable public/private street with adequate capacity, while retaining rural aesthetics and cost effectiveness, and without compromise to the City of College Station Thoroughfare and Transportation Improvement Plan.

### 12-I.2 Street Layout

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width, and grade of each shall conform to the Thoroughfare and Transportation Improvement Plan of the City and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of the land to be served by such streets.

### 12-I.3 Relation to Adjoining Street Systems

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

### 12-I.4 Street Jogs

Whenever possible, street jogs with center-line offsets of less than one hundred twenty-five feet (125') shall be avoided.

### 12-I.5 Half Streets

No half streets shall be platted.

### 12-I.6 Dead-end Streets

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

### 12-I.7 Cul-de-Sacs

Cul-de-sacs shall not exceed two thousand feet (2000') in length to radius point, and shall terminate in a turnaround not less than one hundred feet (100') in diameter, with a pavement diameter of eighty feet (80'). The number of dwelling units may not exceed thirty (30) on any cul-de-sac, regardless of length.

### 12-I.8 Street Intersections

Acute angles between streets at their intersections are to be avoided.

### 12-I.9 Principal Streets on Master Plan

Where a subdivision embraces a major or minor arterial or collector street as shown on the City of College Station Thoroughfare and Transportation Improvement Plan, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the City may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this chapter. The Planning & Zoning Commission may require that, where practical, residential lots adjacent to arterial streets or parkways be platted or restricted so as to prevent driveways opening into such streets.

All principal streets, major and minor arterials and collectors (if they will be continuous beyond the rural residential subdivision) shall be constructed to urban standards as contained in Section 8-G, Streets. All residential streets and those collectors, which are wholly contained within the rural residential subdivision and provide internal circulation for the rural residential subdivision(s) only, may be constructed to the standards contained within this section.

#### 12-I.10 Minor Streets

Minor streets shall be laid out to discourage through traffic.

(Ordinance No. 2188 of June 26, 1996)

#### 12-I.11 Geometric and Pavement Standards

Streets within rural residential subdivisions may be constructed to a rural section, which includes roadside ditches in lieu of curb and gutter. Refer to Table 1 in 8-G.10 for additional standards.

RURAL STREET STANDARDS		
	Rural <u>Residential Street</u>	Rural <u>Collector Street</u>
Stabilized Subgrade <sup>7</sup>	6"	6"
Base <sup>8</sup>	6"	7"
HMAC <sup>9</sup>	1-1/2"	1-1/2"

#### 12-I.12 Standard Details and Specifications

Refer to the City of College Station Street Specifications for the standard pavement cross-section detail and specifications regarding all pavement materials.

#### 12-I.13 Street Names

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person."

(Ordinance No. 2269 of October 9, 1997)

### 12-J. Easements

#### 12-J.1 Drainage Easements

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. The City of College Station Drainage Policy and Design Standards shall be used as a guideline for easement sizing. No construction, including fences, shall impede, constrict, or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the zoning ordinance

#### 12-J.2 Utility Easements

##### 12-J.2.1 Utility Layout

A utility layout is required for all rural residential subdivisions, which shall include all utilities proposed to be installed in the subdivision, as well as any future utilities. Based on this layout, all lines shall have adequate clearance from other utilities and each block shall have a utility easement either at the rear or the front of all lots, reserved for the use of these utility lines, conduit, and equipment. These utility easements shall be twenty feet (20') in width, and shall be continuous for the entire length of a block. If taken at the rear of the lots, it shall be taken as ten (10') feet from each lot where the rear of the lots abut each other. These easements shall be parallel as closely as possible to the street line

<sup>7</sup> Refer to the City of College Station Street Specifications for additional details on these items.

<sup>8</sup> See footnote #7.

<sup>9</sup> See footnote #7.

frontage of the block. The City's electrical engineer will design the electrical system in all subdivisions.

#### 12-J.2.2 Additional Easement

Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.

#### 12-J.2.3 Easements Required by City Engineer

Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full twenty foot (20') width of easement may be required along the rear of lots adjoining the unplatted area.

#### 12-J.2.4 Fencing in Easements

Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.

### 12-K. Blocks

#### 12-K.1 General

Blocks generally shall be platted to provide two (2) tiers of lots with a utility easement between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.

#### 12-K.2 Block Lengths

Block length shall not exceed one thousand fifteen hundred feet (1,500') in rural residential subdivisions. In blocks over eight hundred feet (800') in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

### 12-L. Lots

#### 12-L.1 Lot Configuration

Side lot lines, which make acute angles with front lines, shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.

#### 12-L.2 Lot Size and Setbacks

Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

### 12-M. Access Ways

Access ways, where required, shall have a ten-foot(10') right-of-way, dedicated to the public. A four foot (4') sidewalk shall be constructed in the center of the right-of-way conforming to City Engineering standards and specifications.

#### 12-N. Sidewalks

Sidewalks are not required on residential and collector streets that are wholly contained within the rural residential subdivision(s). If they are provided, they shall meet all regulations in Sections 8-M.3 and 8M.4 and shall be constructed away from the roadway surface to provide adequate safety for pedestrians. All sidewalks shall be a minimum of four feet (4') in width and constructed in accordance with City Engineering standards and specifications. Sidewalks are required on all major and minor arterials and collectors that will continue beyond the rural residential subdivision and are required to be constructed to urban street standards. Sidewalks on these streets shall meet all requirements in Section 8-M, Sidewalks.

#### 12-O. Bikeways

Bikeways will be required in accordance with the Bikeway Master Plan. Refer to Section 8-N for requirements.

#### 12-P. Water Supply

##### 12-P.1 Goal

All rural residential subdivisions shall be provided with a safe, reliable public/private water supply to each platted lot, without compromising the City of College Station's future water distribution system.

##### 12-P.2 Determination of Water Supplier

All subdividers of rural residential subdivisions shall ascertain which local water supplier is certificated to serve the proposed subdivision. If the supplier is not the City of College Station, a predevelopment meeting is mandatory and shall be held between the subdivider, proposed water supplier and the City Engineer, in order to assure that adequate water supply will be available to all lots within the subdivision.

##### 12-P.3 City of College Station as Water Supplier

If the water supplier is the City of College Station, waterlines shall be sized to accommodate both domestic use and fire protection to the subdivision. The design of the waterlines shall be in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer. Adequately sized waterlines shall be provided by the subdivider such that they conform to the City's Utility Master Plan.

##### 12-P.4 Rural Water Supplier

If the water supplier is not the City of College Station, the waterlines shall be sized to accommodate both domestic use and future fire protection for the subdivision. Fire protection in terms of standard fire hydrants will be added at a future date when the system is connected to the City of College Station's water distribution system, wherein both pressure and supply will be adequate to support traditional hydrants. The design of the waterlines shall be in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer. Adequately sized waterlines shall be provided by the subdivider such that they conform to the City's Utility Master Plan.

##### 12-P.5 Water Wells

Water wells may be allowed in cases where supply by the City of College Station system or a rural water supplier is not possible. If water wells will be used, all locations shall be approved by the City Engineer to assure adequate clearances from sanitary sewers, septic systems and compliance with all applicable city, state and federal regulations. These locations must be shown at the time of platting.

## 12-Q. Fire Protection

### 12-Q.1 Goal

To provide an adequate level of fire protection and emergency service to all lots within rural residential subdivisions.

### 12-Q.2 Standard Fire Protection

In the case where connection to the City of College Station water distribution system is required, public fire hydrants shall be designed and installed as a part of the water distribution system. Fire hydrants shall be designed in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer.

#### 12-Q.2.1 Hydrant Location and Spacing

Hydrants shall be located so they are visible and accessible. Locations at or near street intersections are preferred. Spacing between hydrants shall be no greater than fifteen hundred feet (1500') along roadways. No property shall be greater than 750' from the nearest hydrant. All hydrant locations shall be approved by the City Engineer.

### 12-Q.3 Non-Standard Fire Protection

In the case where a rural water supplier will be used for domestic supply, the subdivider shall install a reliable water supply for fire protection by constructing either a lake, pond or cistern located centrally within the subdivision. Dry hydrants, as necessary, shall be located on these water supply sources. The water supply source and the dry hydrant shall be designed in accordance with current NFPA 1231 standards. As listed in Section 12-P.2, a predevelopment meeting is mandatory for a subdivision using non-standard fire protection. The subdivider shall present a conceptual drawing with the dry hydrant location(s) shown and its proximity to all lots. This shall be drawn to a standard engineering scale. The City Engineer will evaluate distance and travel time of emergency vehicles to determine if the layout is acceptable.

### 12-Q.4 Structures within Rural Residential Subdivisions

Due to the limited ability of the fire protection system, and to protect the health and safety of College Station residents, residential structures constructed within rural residential subdivisions shall:

1. Not be located more than five hundred feet (500') from the public street. If they are located at a distance greater than five hundred feet (500') from the public street, then a twenty foot (20') wide all-weather surface, meeting current engineering standards shall be provided to the structure prior to bringing combustibles on-site.
- and
2. Not be located more than two thousand feet (2,000') off a public street unless approved by the Fire Marshal. This shall be allowed only in the case of unusual topography.

Further, any bridge or culvert installed on roadways or on an individual lot, where the structure is located more than five hundred (500') from the public street, must be designed to handle emergency traffic loading.



## 12-R. Sanitary Sewers

### 12-R.1 Goal

To provide adequate sanitary sewer service to all lots within rural residential subdivisions, that does not compromise public health or the future of the City of College Station gravity sewer collection system.

### 12-R.2 Gravity Sanitary Sewer System Required

At the time of zoning, a determination shall be made as to whether the subdivision must connect to the existing sanitary sewer system or if an on-site sewage disposal system (private septic system) will be allowed. If it is determined at the time of zoning that a gravity sewer system is required, the design of such shall meet all applicable city, state and federal regulations, City design standards and acceptable engineering standards. Adequately sized sewerlines shall be provided by the subdivider such that they conform to the needs of the sewer service area and the City's Utility Master Plan.

### 12-R.3 Sanitary Sewer Master Plan

If it is determined at the time of zoning that on-site sewage disposal systems (private septic systems) will be allowed, a gravity sanitary sewer master plan shall be designed for the subdivision. This master plan is required to assure that all lots, at some future date, can be connected by gravity service line to the future sewer collection system. Adequately sized sewerlines shall be provided within the subdivision's sewer master plan such that they conform to the City's Utility Master Plan. All lines designed within this master plan shall meet all applicable city, state and federal regulations, City design standards and acceptable engineering standards. This master plan shall consist of: verbiage explaining all design assumptions, plan and profile layouts of all future gravity lines to be constructed within the subdivision, and a minimum finished floor elevation established for each lot to assure a connection to the future gravity sewer collection system. All minimum finished floors established by this master plan shall be placed on the respective lots on the final plat. Said master plan shall be adopted by ordinance by Council prior to final plat approval by the Planning & Zoning Commission.

### 12-R.4 Private Septic System Licenses

On-site sewage disposal systems (private septic systems) shall be designed to meet all requirements of the Brazos County Health Department. The system shall be licensed through the same agency and the license shall be kept current.

## 12-S. Drainage

### 12-S.1 Goal

To provide adequate drainage facilities within rural residential subdivisions, that do not compound flooding and provide roadway facilities with adequate drainage to allow safe ingress/egress.

### 12-S.2 Drainage Design

Drainage shall be provided to handle runoff from the subdivision in accordance with the City of College Station Drainage Policy and Design Standards. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

### 12-S.3 Roadside Ditches

Roadside ditches shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. They shall be a minimum of eighteen inches (18") deep, except in areas where the topography deems it inappropriate.

#### 12-S.4 Culverts

Culverts shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. The minimum size of any culvert shall be eighteen inches (18"). Safety end treatments, headwalls or wingwalls are required as appropriate.

#### 12-T. Utility Lines

All utility lines that pass under streets shall be installed before the street is paved, with embedment, backfill, and depths in accordance with City engineering design standards and specifications, or the crossing shall be bored.

#### 12-U. Gas or Oil Lines

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over sixty (60) pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a minimum cover of thirty inches (30"), and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than three hundred feet (300'). The signs shall be installed by the utility company, state that the line is high pressure, shall name the product or products transported therein, the utility company name and an emergency phone number.

#### 12-V. Street Lights

##### 12-V.1 Goal

To provide adequate street lighting for the protection of property and the public, while in keeping with a rural setting subdivision.

##### 12-V.2 Standards

Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

1. The type and size of luminaire, and the installation and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the Developer, subject to the approved street light pole standards of the Public Utilities Department.
2. The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be five feet (5') in width.
3. The installation of subdivision lighting shall be performed by either of the following:
  - (a) By City, subject to cost reimbursement as provided in Section 9-G herein.
  - (b) By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

##### 12-V.3 Locations

Street lights shall be required at the following locations within rural residential subdivisions:

1. At all street intersections, and
2. At the end of all cul-de-sacs greater than 300' in length.

The subdivider may request street lights at other locations within the subdivision, given that the locations do not exceed the current standard for street light provision as outlined in Section 8-T, Street Lights, contained herein.

#### 12-W. Electric Service

#### 12-W.1 Goal

To provide adequate electrical service to all lots within a rural residential subdivision, that is in keeping with a rural setting and does not compromise the integrity of the City of College Station electrical distribution system.

#### 12-W.2 Determination of Supplier

All subdividers of rural residential subdivisions shall ascertain which local electric supplier is certificated to serve the proposed subdivision. Where the supplier of electric service is other than the City of College Station, the supplier must meet all the applicable City ordinances and have construction specifications approved by the City's electrical engineer.

#### 12-W.3 Installation

At the developers discretion, lateral electric lines and service lines supplying electric utility service shall be placed either overhead or underground.

#### 12-W.4 Easements

The subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use.

#### 12-W.5 Underground Service

Where underground electric service is selected, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed.

#### 12-W.6 Underground Conduit

The subdivider shall be responsible for furnishing and installing, and the expenses related thereto, conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the electrical department prior to installation.

#### 12-W.7 Auxiliary Equipment

Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground.

#### 12-X Monuments and Corner Markers

All monumentation for a rural residential subdivision shall be in accordance with Section 8-V contained herein."

**(Ordinance No. 2188 of June 27, 1996)**

## SECTION 13: SPECIAL CONDITIONS IN AREA OF EXTRATERRITORIAL JURISDICTION

### 13-A. General

The requirements of Section 12, Rural Residential Subdivision Regulations, shall apply to subdivisions in the area of extraterritorial jurisdiction, with the following modifications:

**(Ordinance No. 2404 of August 12, 1999)**

### 13-B. Streets

Streets shall be in conformity with the requirements of Section 8G, except that the urban-rural section, as defined in the City engineering standards may be used. This section does not require curb and gutter, but requires all-weather, gravel or crushed stone base, road surface with not less than a two (2) course inverted penetration asphalt surface, and shall be not less than twenty-four feet (24') in width, with a ten foot (10') shoulder on each side. If this section is used, the minimum right-of-way width shall be seventy feet (70'), and if a major street, as shown on the master plan of streets, crosses or forms a boundary of the subdivision, the right-of-way width shall be as required in the street section.

### 13-C. Lot Width

If the subdivider constructs streets under the urban rural section, as authorized in 12-B. above, the minimum lot width shall be one hundred feet (100').

**(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)**

### 13-D. Water Supply

Fire hydrants are not required. The water supply system shall comply with the requirements of the Texas Natural Resource Conservation Commission.

### 13-E. Sanitary Sewers

The sanitary sewer system shall comply with requirements of the Texas Natural Resource Conservation Commission.

**(Ordinance No. 2404 of August 12, 1999)**

### 13-F. Drainage

Drainage may be by surface channels.

### 13-G. Street Lights

Street lights are not required.

### 13-H. Electric Service

Electric service will not be supplied by the City.

### 13-I. City Participation

The City will not participate in the cost of the subdivision or utilities outside the City limits, including garbage collection and street maintenance.

## SECTION 14: CONFLICT WITH OTHER PROVISIONS OF CODE

Whenever the standards and specifications in this chapter conflict with those contained in another section of this Code of Ordinances, the most stringent or restrictive provisions shall govern.

## SECTION 15: OWNERSHIP

Upon completion by the subdivider, and acceptance by the City of the streets, alleys, sidewalks, parks, drainage facilities, and utilities required to be installed by the subdivider, they shall become the property of the City of College Station, Texas.

**(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)**

## SECTION 16: PENAL PROVISIONS

### 16-A. Within Corporate Limits

Any person violating any provision of this chapter, within the corporate limits of the City of College Station, shall be guilty of a misdemeanor, and upon conviction, shall be fined pursuant to the General Penalty set out in Chapter 1, Section 5, of this Code of Ordinances. Prosecution or conviction under this provision shall never be a bar to any other relief for violations of this chapter.

**(Ordinance No. 2030 of September 9, 1993)**

### 16-B. Outside Corporate Limits

Any person violating any provision of this chapter, outside the corporate limits of the City, but within the City's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine provided in 15-A. above be applicable; however, the City shall have the right to institute an action in the District Court to enjoin the violation of any provision of this chapter.

**(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)**

EDITOR'S NOTE: Except for minor revisions, the above chapter was compiled from a booklet entitled The City of College Station, Texas, Subdivision Regulations. The provisions of Ordinance No. 983, which were omitted in the booklet, were inserted in the appropriate sections of this chapter. To avoid possible confusion in the enforcement of the City's subdivision regulations, the format as contained in the above-referenced booklet has been maintained.

## SECTION 17: MORATORIUM ON CERTAIN APPLICATIONS

17-A. In addition to the other provisions of this ordinance, there is hereby established a moratorium on plat, replat, vacating or resubdividing plat applications for the purpose of dividing any existing single family residential lot, parcel of land or building plot.

17-B. No application for a plat, replat, vacating or resubdividing plat for the purpose of dividing any existing single family residential lot, parcel of land or building plot for the areas set out in 'Subsection 17-B.3 shall be accepted by the City of College Station from the date this ordinance becomes effective through August 15, 2000.

17-B.1 This Section shall not apply to any lot, parcel or building plot for a preliminary plat approved prior to January 13, 2000.

17-B.2. Expiration of Section

This section and the moratorium on applications established shall expire on August 15, 2000.

17-B.3. Moratorium Areas

The moratorium on applications established by this Section shall be limited to the following areas:

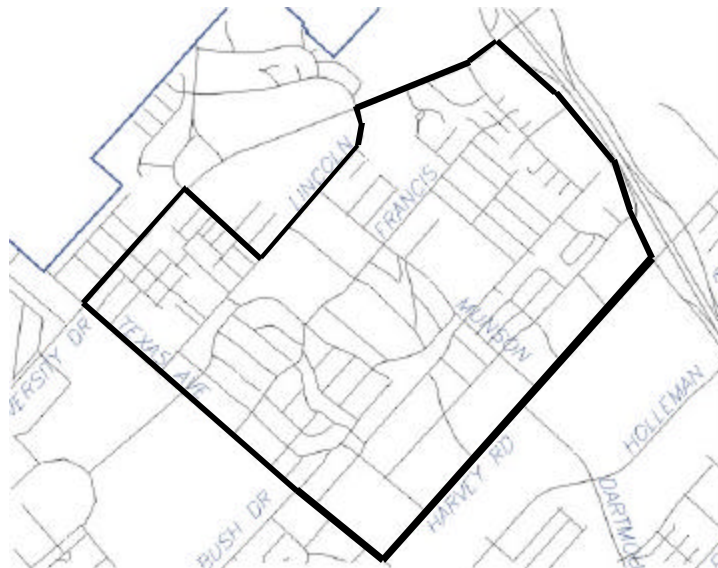
- Area A- An area bounded by Texas Avenue, Holleman Drive, Glade Avenue, Southwest Parkway, Wellborn Road and George Bush Drive and reflected in Illustration A below.

Illustration A



- Area B- An area bounded by Texas Avenue, University Drive, Tarrow Street, Lincoln Avenue, University Drive, the Earl Rudder Freeway, and Harvey Road and reflected in Illustration B below.

Illustration B



## SECTION 18: PLATTING AND REPLATTING WITHIN OLDER RESIDENTIAL SUBDIVISIONS

- 18-A. This section applies to all property in which any portion of that property meets the following criteria:
- 18-A.1 Any portion of the property is currently zoned or developed for single family residential uses as of January 1, 2002 with the exception of NG-1, NG-2 and NG-3 zoning districts; and,
  - 18-A.2 The subject property is part of a lot or building plot that was created prior to July 15, 1970. This also includes lots that may have been vacated or replatted after July 15, 1970 but where the original plat predates July 15, 1970.
- 18-B. In addition to the other provisions of this ordinance, no plat, replat, vacating and resubdividing plat or other plat intended to provide for the resubdivision of an existing lot or lots in a residential subdivision may be approved unless:
- 18-B.1 The plat does not create an additional lot or building plot.
  - 18-B.2 A plat which does create an additional lot or building plot must meet or exceed the average width of the lots along the street frontage, for all lots in the block and contain at least 8,500 square feet of space for each dwelling unit.
- For the purpose of this section, a lot shall be defined to include the lot, lots and/or portions of lots that have been combined and used as a residential plot, as of the effective date of this ordinance.
- 18-C. It is the applicant's responsibility to provide documentation during the application process regarding the original plat in which the lot was created.

*(As Amended by Ordinance No. 2492 dated March 8, 2001)*  
*(As amended by Ordinance No.2544 dated January 24, 2002)*

## APPENDIX A: CERTIFICATIONS

### CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS     )  
                                  )  
COUNTY OF BRAZOS    )

I (we) \_\_\_\_\_, owner(s) and developer(s) of the land shown on this plat, and designated herein as the \_\_\_\_\_ Subdivision to the City of College Station, Texas, and whose name(s) is/are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, easements, and public places thereon shown for the purpose and consideration therein expressed.

\_\_\_\_\_

\_\_\_\_\_  
Owner(s)

STATE OF TEXAS     )  
                                  )  
COUNTY OF BRAZOS    )

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/they executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public, Brazos County, Texas

### CERTIFICATE OF SURVEYOR AND/OR ENGINEER

STATE OF TEXAS     )  
                                  )  
COUNTY OF BRAZOS    )

I, \_\_\_\_\_, Registered Public Surveyor (Engineer), No. \_\_\_\_\_, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

### CERTIFICATE OF CITY ENGINEER



I, \_\_\_\_\_, City Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

\_\_\_\_\_  
City Engineer  
City of College Station

#### APPROVAL OF PLANNING AND ZONING COMMISSION

I, \_\_\_\_\_, Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
City Secretary

#### APPROVAL OF THE CITY COUNCIL

The attached plat was approved by the City Council of the City of College Station on \_\_\_\_\_, 19\_\_\_\_, and conforms to the conditions and requirements imposed by the City of College Station.

\_\_\_\_\_  
Mayor  
City of College Station

ATTEST:

\_\_\_\_\_  
City Secretary

#### CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS     )  
                                  )  
COUNTY OF BRAZOS   )

I, \_\_\_\_\_, County Clerk, in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the \_\_\_\_\_ day of, 19\_\_\_\_, in the Deed Records of Brazos County, Texas, in Volume \_\_\_\_\_ Page \_\_\_\_\_.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

(SEAL)

\_\_\_\_\_  
County Clerk  
Brazos County, Texas